



SPEAKER OF THE
HOUSE OF
REPRESENTATIVES



ACTS
AND
RESOLVES
PASSED BY THE
General Court of Massachusetts,
IN THE YEAR
1923,
TOGETHER WITH
THE CONSTITUTION, TABLES SHOWING CHANGES
IN THE STATUTES, ETC., ETC.

PUBLISHED BY THE
SECRETARY OF THE COMMONWEALTH.



BOSTON:
WRIGHT & POTTER PRINTING CO., STATE PRINTERS,
32 DERNE STREET.
1923.

A CONSTITUTION

OR

FORM OF GOVERNMENT

FOR

The Commonwealth of Massachusetts

P R E A M B L E .

The end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity, and happiness.

Objects of
government.

The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and a faithful execution of them; that every man may, at all times, find his security in them.

Body politic,
how formed.
Its nature.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peaceably, without fraud, violence, or surprise, of entering into

an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do agree upon, ordain, and establish, the following *Declaration of Rights, and Frame of Government*, as the CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS.

PART THE FIRST.

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts.

Equality and natural rights of all men.

Article I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Right and duty of public religious worship. Protection therein. 2 Cush. 104. 12 Allen, 129. See amendments, Arts. XLVI and XLVIII.

II. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

Amendments, Art. XI, substituted for this.

III. [As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality; and as these cannot be generally diffused through a community but by the institution of the public worship of God, and of public instructions in piety, religion, and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of God, and for the support and maintenance of public Protestant teachers

Legislature empowered to compel provision for public worship.

of piety, religion, and morality, in all cases where such provision shall not be made voluntarily.

And the people of this commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

Legislature to enjoin attendance thereon.

Provided, notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

Exclusive right of electing religious teachers secured.

And all moneys paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised.

Option as to whom parochial taxes may be paid, unless, etc.

And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or denomination to another shall ever be established by law.]

All denominations equally protected. 8 Met. 162. Subordination of one sect to another prohibited.

IV. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter be, by them expressly delegated to the United States of America, in Congress assembled.

Right of self government secured.

V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

Accountability of all officers, etc.

VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children,

Services rendered to the public being the only title to peculiar privileges, hereditary offices are absurd and unnatural.

Objects of government; right of people to institute and change it.

Right of people to secure rotation in office.

All, having the qualifications prescribed, equally eligible to office. For the definition of "inhabitant," see Part the Second, Ch. 1, Sect. 2, Art. II.

Right of protection and duty of contribution correlative. Taxation founded on consent.
16 Mass. 326.
1 Pick. 418.
7 Pick. 344.
12 Pick. 184, 467.
16 Pick. 87.
23 Pick. 360.
7 Met. 388.
4 Gray, 474.
7 Gray, 363.
14 Gray, 154.
1 Allen, 150.
4 Allen, 474.
Private property not to be taken for public uses without, etc.
See amendments, Arts. XXXIX and XLVII.

or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

VII. Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestable, unalienable, and infeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness require it.

VIII. In order to prevent those who are vested with authority from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

IX. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.

See amendments, Art. XLV. 122 Mass. 595, 596.

Freedom of elections, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

For compulsory voting, see amendments, Art. LXI.

X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not controllable by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

6 Cush. 327.	12 Allen, 223, 230.	108 Mass. 202, 213.	126 Mass. 428, 441.
14 Gray, 155.	100 Mass. 544, 560.	111 Mass. 130.	127 Mass. 50, 52.
16 Gray, 417, 431.	103 Mass. 120, 624.	113 Mass. 45.	358, 363, 410, 413.
1 Allen, 150.	106 Mass. 356, 362.	116 Mass. 463.	129 Mass. 559.
11 Allen, 530.			

Right to receive compensation for private property appropriated to public use, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

XII. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

100 Mass. 287, 295.

108 Mass. 5, 6.

122 Mass. 332.

127 Mass. 550, 554.

103 Mass. 418.

118 Mass. 443, 451.

124 Mass. 464.

129 Mass. 559.

107 Mass. 172, 180.

120 Mass. 118, 120.

Right of access to and protection in courts of justice, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

And the legislature shall not make any law that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

Right of trial by jury, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XIII. In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws.

Protection from unreasonable search, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Remedies, by recourse to the law, to be free, complete and prompt.

Prosecutions regulated.

8 Pick. 211.

10 Pick. 9.

18 Pick. 434.

21 Pick. 542.

2 Met. 329.

12 Cush. 246.

1 Gray, 1.

5 Gray, 160.

8 Gray, 329.

10 Gray, 11.

11 Gray, 438.

2 Allen, 361.

11 Allen, 238-

240, 264, 439,

473.

12 Allen, 170.

97 Mass. 570,

573.

Right to trial by jury in criminal cases, except, etc.

8 Gray, 329,

373.

103 Mass. 418.

Crimes to be proved in the vicinity.

2 Pick. 550.

121 Mass. 61, 62.

Right of search and seizure regulated.

Const. of U. S.,

Amend't IV.

2 Met. 329.

5 Cush. 369.

1 Gray, 1.

13 Gray, 454.

10 Allen, 403.

100 Mass. 136,

139.

126 Mass. 269,

273.

Right to trial
by jury sacred,
except, etc.
Const. of U. S.,
Amend't VII.,
2 Pick. 382.
7 Pick. 366.
5 Gray, 144.
8 Gray, 373.
11 Allen, 574,
577.
102 Mass. 45, 47.

XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

114 Mass. 388, 390.
120 Mass. 320, 321.

122 Mass. 505, 516.
123 Mass. 590, 593.

125 Mass. 182, 183.
128 Mass. 600.

Right of trial by jury, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Liberty of the
press.

XVI. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth.

Freedom of the press, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Right to keep
and bear arms.
Standing armies
dangerous.
Military power
subordinate to
civil.
5 Gray, 121.

XVII. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

Moral qualifica-
tions for office.

XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their lawgivers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the commonwealth.

Moral obliga-
tions of law-
givers and
magistrates.

Right of people
to instruct rep-
resentatives
and petition
legislature.

XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

Right of peaceable assembly, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Power to sus-
pend the laws
or their execu-
tion.

XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exer-

cised in such particular cases only as the legislature shall expressly provide for.

Modified by the popular initiative and referendum. See amendments, Art. XLVIII, I, Definition.

XXI. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

Freedom of debate, etc., and reason thereof.

Freedom of speech, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XXII. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

Frequent sessions, and objects thereof.

XXIII. No subsidy, charge, tax, impost, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

Taxation founded on consent.
8 Allen, 247.

XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

Ex post facto laws prohibited.
12 Allen, 421,
424, 428, 434.

XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

Legislature not to convict of treason, etc.

XXVI. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

Excessive bail or fines, and cruel punishments, prohibited.

Protection from unreasonable bail, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XXVII. In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

No soldier to be quartered in any house, unless, etc.

XXVIII. No person can in any case be subject to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

Citizens exempt from law-martial, unless, etc.

Protection from law-martial, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Judges of supreme judicial court.
 3 Pick. 471.
 1 Gray, 472.
 4 Allen, 591.
 7 Allen, 385.
 105 Mass. 219,
 221, 225.

Salaries.

Separation of executive, judicial, and legislative departments.
 2 Cush. 577.
 2 Allen, 361.
 8 Allen, 247, 253.
 100 Mass. 282,
 286.
 114 Mass. 247,
 249.

XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial, and independent as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

Tenure of their office, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

XXX. In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

116 Mass. 317.

129 Mass. 559.

For popular initiative and referendum, see amendments, Art. XLVIII.
 For organization of executive, etc., work of the Commonwealth in not more than twenty departments, see amendments, Art. LXVI.

PART THE SECOND.

The Frame of Government.

Title of body politic.

The people, inhabiting the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent body politic, or state, by the name of THE COMMONWEALTH OF MASSACHUSETTS.

CHAPTER I.

THE LEGISLATIVE POWER.

SECTION I.

The General Court.

Legislative department.

Article I. The department of legislation shall be formed by two branches, a Senate and House of Represent-

atives; each of which shall have a negative on the other.

The legislative body shall assemble every year [on the last Wednesday in May, and at such other times as they shall judge necessary; and shall dissolve and be dissolved on the day next preceeding the said last Wednesday in May;] and shall be styled, THE GENERAL COURT OF MASSACHUSETTS.

II. No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revisal; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have originated; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two-thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law: but in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth.

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law.

3 Mass. 567.

III. The general court shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be held in the name of the commonwealth, for the hearing, trying, and determining of all manner of crimes, offences, pleas, processes, complaints, actions, matters, causes, and things, whatsoever, arising or happening within the commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same: whether the same be criminal or civil, or whether the said crimes be capital or not capital, and

For change of time, etc., see amendments, Art. X.

Governor's veto.
99 Mass. 636.

For right of governor to return bill or resolve for amendment, see amendments, Art. LVI.

For disapproval or reduction of items by the governor in bills appropriating money, see amendments, Art. LXIII, sect. 5. Bill may be passed by two-thirds of each house, notwithstanding.

For exception in case of adjournment of the general court within the five days, see amendments, Art. I. General court may constitute judicatories, courts of record, etc.
8 Gray, 1.
12 Gray, 147, 154.
See amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, 111, sect. 2.

Courts, etc.,
may administer
oaths.

General court
may enact laws,
etc.

9 Gray, 426.
4 Allen, 473.
12 Allen, 223,
237.
100 Mass. 544,
557.
116 Mass. 467,
470.

For initiative
and refer-
endum, see
amendments,
Art. XLVIII.

General court
may enact
laws, etc., not
repugnant to
the constitu-
tion.

6 Allen, 358.
may provide
for the election
or appointment
of officers.
115 Mass. 602.
may prescribe
their duties.

may impose
taxes, etc.
See amend-
ments,
Arts. XLI and
XLIV.

12 Mass. 252.
5 Allen, 428.
6 Allen, 558.
8 Allen, 247, 253.
10 Allen, 235.
11 Allen, 268.
12 Allen, 77,
223, 235, 238,
240, 298, 300,
312, 313, 500, 612.
98 Mass. 19.
100 Mass. 285.
101 Mass. 575,
585.
103 Mass. 267.
114 Mass. 388,
391.
116 Mass. 461.
118 Mass. 386,
389.
123 Mass. 493,
495.
127 Mass. 413.

may impose
taxes, etc., to
be disposed of

whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon. To which courts and judicatories are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them.

IV. And further, full power and authority are hereby given and granted to the said general court, from time to time to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof; and to name and settle annually, or provide by fixed laws for the naming and settling, all civil officers within the said commonwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the

manner that has hitherto been practised, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least, and as much oftener as the general court shall order.

for defence, protection, etc. 8 Allen, 247, 256.

Valuation of estates once in ten years, at least, while, etc. 8 Allen, 247, 126 Mass. 547.

For the authority of the general court to charter cities, see amendments, Art. II.
For the state wide referendum on bills and resolves of the general court, see amendments, Art. XLII. Art. XLII annulled by initiative and referendum amendment, see amendments, Art. XLVIII, The referendum, VIII.

For the power given the general court to provide by law for absentee and compulsory voting, see amendments, Arts. XLV and LXI.

For the power given the general court to determine the manner of providing and distributing the necessities of life, etc., during time of war, public distress, etc., by the commonwealth and the cities and towns therein, see amendments, Art. XLVII.

CHAPTER I.

SECTION II.

Senate.

Article I. [There shall be annually elected, by the freeholders and other inhabitants of this commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts into which the commonwealth may, from time to time, be divided by the general court for that purpose: and the general court, in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the commonwealth the limits of each district, and the number of councillors and senators to be chosen therein; provided, that the number of such districts shall never be less than thirteen; and that no district be so large as to entitle the same to choose more than six senators.]

Senate, number of, and by whom elected. Superseded by amendments, Art. XIII, which was also superseded by amendments, Art. XXII.

For provision as to councillors, see amendments, Art. XVI.

And the several counties in this commonwealth shall, until the general court shall determine it necessary to alter the said districts, be districts for the choice of councillors and senators, (except that the counties of Dukes County and Nantucket shall form one district for that purpose) and shall elect the following number for councillors and senators, viz.:—Suffolk, six; Essex, six; Middlesex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York, two; Dukes County and Nantucket, one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.]

Counties to be districts, until, etc.

Manner and time of choosing senators and councillors.

See amendments, Arts. X, XV, XLV and LXIV, sect. 1.

As to cities, see amendments, Art. II.

Provisions as to qualifications of voters, superseded by amendments, Arts. III, XX, XXVIII,

XXX, XXXI and XXXII.

Word "inhabitant" defined.

See also amendments, Art. XXIII, which was annulled by Art. XXVI. 12 Gray, 21. 122 Mass. 595, 597.

Selectmen to preside at town meetings.

Return of votes.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January. See amendments, Art. X.

Inhabitants of unincorporated plantations, who pay state taxes, may vote.

II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz.: there shall be a meeting on the [first Monday in April,] [annually,] forever, of the inhabitants of each town in the several counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the [first Monday in April,] for the purpose of electing persons to be senators and councillors; [and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.] And to remove all doubts concerning the meaning of the word "inhabitant" in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this state, in that town, district, or plantation where he dwelleth, or hath his home.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purport of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before [the last Wednesday in May] [annually;] or it shall be delivered into the secretary's office seventeen days at least before the said [last Wednesday in May:] and the sheriff of each county shall deliver all such certificates by him received, into the secretary's office, seventeen days before the said [last Wednesday in May.]

[And the inhabitants of plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the

same privilege of voting for councillors and senators in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings for that purpose shall be held annually [on the same first Monday in April], at such place in the plantations, respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councillors and senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose, accordingly.]

Plantation meetings.
Time of election changed by amendments, Art. XV.
Assessors to notify, etc.

III. And that there may be a due convention of senators on the [last Wednesday in May] annually, the governor with five of the council, for the time being, shall, as soon as may be, examine the returned copies of such records; and fourteen days before the said day he shall issue his summons to such persons as shall appear to be chosen by [a majority of] voters, to attend on that day, and take their seats accordingly: provided, nevertheless, that for the first year the said returned copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summons to the persons so elected, that they may take their seats as aforesaid.

Governor and council to examine and count votes, and issue summonses.
Time changed to first Wednesday in January by amendments, Art. X.
Majority changed to plurality by amendments, Art. XIV.

IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as pointed out in the constitution; and shall, [on the said last Wednesday in May] [annually,] determine and declare who are elected by each district to be senators [by a majority of votes; and in case there shall not appear to be the full number of senators returned elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz.: The members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for; and out of these shall elect by ballot a number of senators sufficient to fill up the vacan-

Senate to be final judge of elections, etc., of its own members.
Time changed to first Wednesday of January by amendments, Art. X.
Majority changed to plurality by amendments, Art. XIV.

Vacancies, how filled.
Changed to election by people.
See amendments, Art. XXIV.

Qualifications of a senator.
Property qualification abolished.
See amendments, Art. XIII.

For further provision as to residence, see also amendments, Art. XXII.

Senate not to adjourn more than two days.
See amendments, Art. LII.

shall choose its officers and establish its rules.

shall try all impeachments.

Oath.

Limitation of sentence.

Quorum.
See amendments, Arts. XXII and XXXIII.

cies in such district; and in this manner all such vacancies shall be filled up in every district of the commonwealth; and in like manner all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.]

V. Provided, nevertheless, that no person shall be capable of being elected as a senator, [who is not seised in his own right of a freehold, within this commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum, and] who has not been an inhabitant of this commonwealth for the space of five years immediately preceding his election, and, at the time of his election, he shall be an inhabitant in the district for which he shall be chosen.

VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

VIII. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and mal-administration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place of honor, trust, or profit, under this commonwealth; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

IX. [Not less than sixteen members of the senate shall constitute a quorum for doing business.]

CHAPTER I.

SECTION III.

House of Representatives.

Article I. There shall be, in the legislature of this commonwealth, a representation of the people, annually elected, and founded upon the principle of equality.

For change to biennial elections, see amendments, Art. LXIV, sect. 1.

Representation of the people.

II. [And in order to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls may elect one representative; every corporate town containing three hundred and seventy-five ratable polls may elect two representatives; every corporate town containing six hundred ratable polls may elect three representatives; and proceeding in that manner, making two hundred and twenty-five ratable polls the mean increasing number for every additional representative.]

Representatives, by whom chosen.
Superseded by amendments, Arts. XII and XIII, which were also superseded by amendments, Art. XXI.
7 Mass. 523.

Provided, nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one representative; but no place shall hereafter be incorporated with the privilege of electing a representative, unless there are within the same one hundred and fifty ratable polls.]

Proviso as to towns having less than 150 ratable polls.

And the house of representatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this constitution.

Towns liable to fine in case, etc.

[The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.]

Expenses of travelling to and from the general court, how paid.
Annulled by Art. XXXV.

III. Every member of the house of representatives shall be chosen by written votes; [and, for one year at least next preceding his election, shall have been an inhabitant of, and have been seised in his own right of a freehold of the value of one hundred pounds within the town he shall be chosen to represent, or any ratable estate to the value of two hundred pounds; and he shall cease to represent the said town immediately on his ceasing to be qualified as aforesaid.]

Qualifications of a representative.
New provision as to residence.
See amendments, Art. XXI.

IV. [Every male person, being twenty-one years of age, and resident in any particular town in this commonwealth for the space of one year next preceding, having a freehold estate within the said town of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative or representatives for the said town.]

Property qualifications abolished by amendments, Art. XIII.

Qualifications of a voter.
These provisions superseded by amendments, Arts. III, XX, XXVIII, XXX, XXXI, XXXII and XLV.

See also amendments, Art. XXIII, which was annulled by Art. XXVI.

V. [The members of the house of representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month.]

Representatives, when chosen.

Time of election changed by amendments, Art. X, and changed again by amendments, Art. XV.

House alone
can impeach.

VI. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments made by them shall be heard and tried by the senate.

House to originate all money bills.

VII. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

Not to adjourn more than two days.
See amendments, Art. LII.

VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time.

Quorum.
See amendments, Arts. XXI and XXXIII.

IX. [Not less than sixty members of the house of representatives shall constitute a quorum for doing business.]

To judge of returns, etc., of its own members; to choose its officers and establish its rules, etc.
May punish for certain offences.
14 Gray, 226.

X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

Privileges of members.

And no member of the house of representatives shall be arrested, or held to bail on mesne process, during his going unto, returning from, or his attending the general assembly.

Senate.
Governor and council may punish.
General limitation.
14 Gray, 226.

XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases: provided, that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offences, be for a term exceeding thirty days.

Trial may be by committee, or otherwise.

And the senate and house of representatives may try and determine all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

CHAPTER II.

EXECUTIVE POWER.

SECTION I.

Governor.

Article I. There shall be a supreme executive magistrate, who shall be styled—THE GOVERNOR OF THE COMMONWEALTH OF MASSACHUSETTS; and whose title shall be — HIS EXCELLENCY.

Governor.

His title.

II. The governor shall be chosen [annually;] and no person shall be eligible to this office, unless, at the time of his election, he shall have been an inhabitant of this commonwealth for seven years next preceding; [and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds;] [and unless he shall declare himself to be of the Christian religion.]

To be chosen annually.
For change to biennial elections, see amendments, Art. LXIV, sects. 1-4.
Qualifications. See amendments, Arts. VII and XXXIV.

III. Those persons who shall be qualified to vote for senators and representatives within the several towns of this commonwealth shall, at a meeting to be called for that purpose, on the [first Monday of April] [annually,] give in their votes for a governor, to the selectmen, who shall preside at such meetings; and the town clerk, in the presence and with the assistance of the selectmen, shall, in open town meeting, sort and count the votes, and form a list of the persons voted for, with the number of votes for each person against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said meeting; and shall, in the presence of the inhabitants, seal up copies of the said list, attested by him and the selectmen, and transmit the same to the sheriff of the county, thirty days at least before the [last Wednesday in May]; and the sheriff shall transmit the same to the secretary's office, seventeen days at least before the said [last Wednesday in May]; or the selectmen may cause returns of the same to be made to the office of the secretary of the commonwealth, seventeen days at least before the said day; and the secretary shall lay the same before the senate and the house of representatives on the [last Wednesday in May], to be by them examined; and in case of an election by a [majority] of all the votes returned, the choice shall be by

By whom chosen, if he have a majority of votes. See amendments, Art. XLV.

Time of election changed by amendments, Art. X, and changed again by amendments, Art. XV.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January by amendments, Art. X.

Changed to plurality by amendments, Art. XIV.

How chosen,
when no per-
son has a
plurality.

them declared and published; but if no person shall have a [majority] of votes, the house of representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.

Power of gov-
ernor, and of
governor and
council.

IV. The governor shall have authority, from time to time, at his discretion, to assemble and call together the councillors of this commonwealth for the time being; and the governor with the said councillors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, agreeably to the constitution and the laws of the land.

May adjourn
or prorogue the
general court
upon request,
and convene
the same.
As to dissolu-
tion, see
amendments,
Art. X.

V. The governor, with advice of council, shall have full power and authority, during the session of the general court, to adjourn or prorogue the same to any time the two houses shall desire; [and to dissolve the same on the day next preceding the last Wednesday in May; and, in the recess of the said court, to prorogue the same from time to time, not exceeding ninety days in any one recess;] and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the commonwealth shall require the same; and in case of any infectious distemper prevailing in the place where the said court is next at any time to convene, or any other cause happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other, the most convenient place within the state.

As to dissolu-
tion, see
amendments,
Art. X.

[And the governor shall dissolve the said general court on the day next preceding the last Wednesday in May.]

Governor and
council may
adjourn the
general court
in cases, etc.,
but not ex-
ceeding ninety
days.

VI. In cases of disagreement between the two houses, with regard to the necessity, expediency, or time of adjournment or prorogation, the governor, with advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

Governor to be
commander-in-
chief.
This article
annulled and
superseded by
amendments,
Art. LIV.

VII. [The governor of this commonwealth, for the time being, shall be the commander-in-chief of the army and navy, and of all the military forces of the state, by sea and land; and shall have full power, by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise, and govern the militia and navy;

and, for the special defence and safety of the commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof, and to lead and conduct them, and with them to encounter, repel, resist, expel, and pursue, by force of arms, as well by sea as by land, within or without the limits of this commonwealth, and also to kill, slay, and destroy, if necessary, and conquer, by all fitting ways, enterprises, and means whatsoever, all and every such person and persons as shall, at any time hereafter, in a hostile manner, attempt or enterprise the destruction, invasion, detriment, or annoyance of this commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law-martial, in time of war or invasion, and also in time of rebellion, declared by the legislature to exist, as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition, and other goods, as shall, in a hostile manner, invade, or attempt the invading, conquering, or annoying this commonwealth; and that the governor be intrusted with all these and other powers, incident to the offices of captain-general and commander-in-chief, and admiral, to be exercised agreeably to the rules and regulations of the constitution, and the laws of the land, and not otherwise.

Provided, that the said governor shall not, at any time hereafter, by virtue of any power by this constitution granted, or hereafter to be granted to him by the legislature, transport any of the inhabitants of this commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the general court; except so far as may be necessary to march or transport them by land or water, for the defence of such part of the state to which they cannot otherwise conveniently have access.] Limitation.

VIII. The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council; but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned. Governor and council may pardon offences, except, etc.
But not before conviction.
109 Mass. 323.

IX. All judicial officers, [the attorney-general,] the solicitor-general, [all sheriffs,] coroners, [and registers of pro- Judicial officers, etc., how nominated and appointed.

For provisions as to election of attorney-general, see amendments, Arts. XVII and LXIV, sect. 1.

bate,] shall be nominated and appointed by the governor, by and with the advice and consent of the council; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment.

For provision as to election of sheriffs, registers of probate, etc., see amendments, Art. XIX.

For provision as to appointment of notaries public, see amendments, Arts. IV. and LVII.

Appointment, tenure, etc., of judges not to be the subject of an initiative or referendum petition; see amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Militia officers, how elected. Limitation of age struck out by amendments, Art. V. This article annulled and superseded by amendments, Art. LIII.

X. [The captains and subalterns of the militia shall be elected by the written votes of the train-band and alarm list of their respective companies, [of twenty-one years of age and upwards;] the field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments; the brigadiers shall be elected, in like manner, by the field officers of their respective brigades; and such officers, so elected, shall be commissioned by the governor, who shall determine their rank.

How commissioned.

Election of officers.

The legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the governor, the officers elected.

Major-generals, how appointed and commissioned.

The major-generals shall be appointed by the senate and house of representatives, each having a negative upon the other; and be commissioned by the governor.

For provisions as to appointment of a commissary general, see amendments, Art. IV.

Vacancies, how filled, in case, etc.

And if the electors of brigadiers, field officers, captains or subalterns, shall neglect or refuse to make such elections, after being duly notified, according to the laws for the time being, then the governor, with advice of council, shall appoint suitable persons to fill such offices.

Officers duly commissioned, how removed. Superseded by amendments, Art. IV.

[And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the governor, or by fair trial in court-martial, pursuant to the laws of the commonwealth for the time being.]

Adjutants, etc., how appointed.

The commanding officers of regiments shall appoint their adjutants and quartermasters; the brigadiers their brigade-majors; and the major-generals their aids; and the governor shall appoint the adjutant-general.

Army officers, how appointed.

The governor, with advice of council, shall appoint all officers of the continental army, whom by the confederation of the United States it is provided that this commonwealth shall appoint, as also all officers of forts and garrisons.

Organization of militia.

The divisions of the militia into brigades, regiments, and companies, made in pursuance of the militia laws now in

force, shall be considered as the proper divisions of the militia of this commonwealth, until the same shall be altered in pursuance of some future law.]

XI. No moneys shall be issued out of the treasury of this commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defence and support of the commonwealth; and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court.

Money, how drawn from the treasury, except, etc. 13 Allen, 593.

Certain appropriations of money from treasury not to be subjects of initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

XII. All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons; and the said commanding officer shall exhibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors, adjacent.

All public boards, etc., to make quarterly returns.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be after receiving the same, all letters, despatches, and intelligences of a public nature, which shall be directed to them respectively.

XIII. As the public good requires that the governor should not be under the undue influence of any of the members of the general court by a dependence on them for his support, that he should in all cases act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes,

Salary of governor.

and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Salaries of justices of supreme judicial court.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

Compensation of judges not to be the subject of an initiative or referendum petition; see amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Salaries to be enlarged if insufficient.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

CHAPTER II.

SECTION II.

Lieutenant-Governor.

Lieutenant-governor; his title and qualifications. See amendments, Arts. VII and XXXIV.

For change to biennial elections, see amendments, Art. LXIV, sect. 1.

How chosen. Election by plurality provided for by amendments, Art. XIV.

President of council. Lieutenant-governor a member of, except, etc.

Lieutenant-governor to be acting governor, in case, etc. See amendments, Art. LV.

Article I. There shall be [annually] elected a lieutenant-governor of the commonwealth of Massachusetts, whose title shall be — HIS HONOR; and who shall be qualified, in point of [religion,] [property,] and residence in the commonwealth, in the same manner with the governor; and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner; and if no one person shall be found to have [a majority] of all the votes returned, the vacancy shall be filled by the senate and house of representatives, in the same manner as the governor is to be elected, in case no one person shall have [a majority] of the votes of the people to be governor.

II. The governor, and in his absence the lieutenant-governor, shall be president of the council, but shall have no vote in council; and the lieutenant-governor shall always be a member of the council, except when the chair of the governor shall be vacant.

III. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the commonwealth, or otherwise, the lieutenant-governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which by this constitution the governor is vested with, when personally present.

CHAPTER II.

SECTION III.

Council, and the Manner of settling Elections by the Legislature.

Article I. There shall be a council for advising the governor in the executive part of the government, to consist of [nine] persons besides the lieutenant-governor, whom the governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together; and the governor, with the said councillors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, according to the laws of the land.

Council.
Number of
councillors
changed to
eight.
See amend-
ments, Art.
XVI.

II. [Nine councillors shall be annually chosen from among the persons returned for councillors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room; and in case there shall not be found upon the first choice, the whole number of nine persons who will accept a seat in the council, the deficiency shall be made up by the electors aforesaid from among the people at large; and the number of senators left shall constitute the senate for the year. The seats of the persons thus elected from the senate, and accepting the trust, shall be vacated in the senate.]

Number; from
whom, and
how chosen.
Modified by
amendments,
Arts. X and
XIII.
Superseded by
amendments,
Art. XVI.

If senators be-
come council-
lors, their seats
to be vacated.

III. The councillors, in the civil arrangements of the commonwealth, shall have rank next after the lieutenant-governor.

Rank of
councillors.

IV. [Not more than two councillors shall be chosen out of any one district of this commonwealth.]

No district to
have more
than two.

Superseded by amendments, Art. XVI.

V. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority.

Register of
council.

VI. [Whenever the office of the governor and lieutenant-governor shall be vacant, by reason of death, absence, or otherwise, then the council, or the major part of them, shall, during such vacancy, have full power and authority to do, and execute, all and every such acts, matters, and things, as the governor or the lieutenant-governor might or could, by

Council to
exercise the
power of gov-
ernor in case,
etc.
This article
annulled and
superseded by
amendments,
Art. LV.

virtue of this constitution, do or execute, if they, or either of them, were personally present.]

Elections may be adjourned until, etc.

Order thereof. Superseded by amendments, Arts. XVI and XXV.

VII. [And whereas the elections appointed to be made, by this constitution, on the [last Wednesday in May annually,] by the two houses of the legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the order of elections shall be as follows: [the vacancies in the senate, if any, shall first be filled up;] the governor and lieutenant-governor shall then be elected, provided there should be no choice of them by the people; and afterwards the two houses shall proceed to the election of the council.]

CHAPTER II.

SECTION IV.

Secretary, Treasurer, Commissary, etc.

Secretary, etc., by whom and how chosen. For provision as to election of secretary, treasurer and receiver-general, auditor and attorney-general, see amendments, Arts. XVII and LXIV, sect. 1. Treasurer ineligible for more than five successive years.

Article I. [The secretary, treasurer and receiver-general, and the commissary-general, notaries public, and naval officers, shall be chosen annually, by joint ballot of the senators and representatives in one room. And, that the citizens of this commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the public accounts, are their property, no man shall be eligible as treasurer and receiver-general more than five years successively.]

For provision as to appointment of notaries public and the commissary-general, see amendments, Arts. IV and LVII.

Treasurer and receiver-general ineligible to election for more than three successive terms. See amendments, Art. LXIV, sect. 2.

Secretary to keep records; to attend the governor and council, etc.

II. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

CHAPTER III.

JUDICIARY POWER.

Tenure of all commissioned officers to be expressed. Judicial officers to hold office

Article I. The tenure, that all commission officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly ap-

pointed, commissioned and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

For tenure, etc., of judges, see amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

For retirement of judicial officers, see amendments, Art. LVIII.

II. Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

during good behavior, except, etc. But may be removed on address.

Justices of supreme judicial court to give opinions when required. 122 Mass. 600, 126 Mass. 557, 561.

III. In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the commonwealth.

Justices of the peace; tenure of their office. 3 Cush. 534.

IV. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require; and the legislature shall, from time to time, hereafter, appoint such times and places; until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

For removal of justices of the peace, see amendments, Art. XXXVII.

Provisions for holding probate courts. 12 Gray, 147.

V. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

Marriage, divorce, and alimony. Other provisions made by law. 105 Mass. 327.

116 Mass. 317.

CHAPTER IV.

DELEGATES TO CONGRESS.

[The delegates of this commonwealth to the congress of the United States, shall, some time in the month of June, annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have

Delegates to congress.

commissions under the hand of the governor, and the great seal of the commonwealth; but may be recalled at any time within the year, and others chosen and commissioned, in the same manner, in their stead.]

CHAPTER V.

THE UNIVERSITY AT CAMBRIDGE, AND ENCOURAGEMENT OF LITERATURE, ETC.

SECTION I.

The University.

Harvard
College.

Article I. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of GOD, been initiated in those arts and sciences which qualified them for public employments, both in church and state; and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of GOD, the advantage of the Christian religion, and the great benefit of this and the other United States of America, — it is declared, that the PRESIDENT AND FELLOWS OF HARVARD COLLEGE, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy, all the powers, authorities, rights, liberties, privileges, immunities, and franchises, which they now have, or are entitled to have, hold, use, exercise, and enjoy; and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

Powers, privi-
leges, etc., of
the president
and fellows,
confirmed.

II. And whereas there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies, and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the president and fellows of Harvard College, or to the said college by some other description, under several charters, successively; it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard College, and to their successors in the capacity

All gifts,
grants, etc.,
confirmed.

aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, deviser or devisors.

III. [And whereas, by an act of the general court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the governor and deputy-governor, for the time being, and all the magistrates of that jurisdiction, were, with the president, and a number of the clergy in the said act described, constituted the overseers of Harvard College; and it being necessary, in this new constitution of government to ascertain who shall be deemed successors to the said governor, deputy-governor, and magistrates; it is declared, that the governor, lieutenant-governor, council, and senate of this commonwealth, are, and shall be deemed, their successors, who, with the president of Harvard College, for the time being, together with the ministers of the congregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard College; provided, that] nothing herein shall be construed to prevent the legislature of this commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done by the legislature of the late Province of the Massachusetts Bay.

Who shall be overseers.

See Statutes,
1851, 224.
1852, 27.
1859, 212.
1865, 173.
1880, 65, 144.
1889, 104, 132.
1891, 166.
1895, 45.
1896, 191.
1901, 187, 488.
1902, 243.
1910, 113.
1914, 593.

Power of alteration reserved to the legislature.

CHAPTER V.

SECTION II.

The Encouragement of Literature, etc.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and

Duty of legislatures and magistrates in all future periods. For further provisions as to public schools, see amendments, Arts. XVIII and XLVI.
12 Allen, 500-503.
103 Mass. 94, 97.

immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments, among the people.

CHAPTER VI.

OATHS AND SUBSCRIPTIONS; INCOMPATIBILITY OF AND EXCLUSION FROM OFFICES; PECUNIARY QUALIFICATIONS; COMMISSIONS; WRITS; CONFIRMATION OF LAWS; HABEAS CORPUS; THE ENACTING STYLE; CONTINUANCE OF OFFICERS; PROVISION FOR A FUTURE REVISAL OF THE CONSTITUTION, ETC.

Oaths, etc.

Article I. [Any person chosen governor, lieutenant-governor, councillor, senator, or representative, and accepting the trust, shall, before he proceed to execute the duties of his place or office, make and subscribe the following declaration, viz.:

Abolished.
See amend-
ments, Art.
VII.

“I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seised and possessed, in my own right, of the property required by the constitution, as one qualification for the office or place to which I am elected.”

And the governor, lieutenant-governor, and councillors, shall make and subscribe the said declaration, in the presence of the two houses of assembly; and the senators and representatives, first elected under this constitution, before the president and five of the council of the former constitution; and forever afterwards before the governor and council for the time being.]

Declaration
and oaths of
all officers.

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz.:

For new oath
of allegiance,
see amend-
ments, Art. VI.

[“I, A. B., do truly and sincerely acknowledge, profess, testify, and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign, and

independent state; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever; and that I do renounce and abjure all allegiance, subjection, and obedience to the king, queen, or government of Great Britain (as the case may be), and every other foreign power whatsoever; and that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical, or spiritual, within this commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States: and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation, and abjuration, heartily and truly, according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me, God.”]

“I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, God.”

Oath of office.

Provided, always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the people called Quakers, and shall decline taking the said oath[s], he shall make his affirmation in the foregoing form, and subscribe the same, omitting the words, [*“I do swear,”* *“and abjure,”* *“oath or,”* *“and abjuration,”* in the first oath, and in the second oath, the words] *“swear and,”* and [in each of them] the words *“So help me, God;”* subjoining instead thereof, *“This I do under the pains and penalties of perjury.”*

Proviso.
See amendments,
Art. VI.

And the said oaths or affirmations shall be taken and subscribed by the governor, lieutenant-governor, and councillors, before the president of the senate, in the presence of the two houses of assembly; and by the senators and representatives first elected under this constitution, before the president and five of the council of the former constitu-

Oaths and
affirmations,
how adminis-
tered.

tion; and forever afterwards before the governor and council for the time being; and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature.

Plurality of
offices pro-
hibited to gov-
ernor, etc.,
except, etc.
See amend-
ments, Art.
VIII.

II. No governor, lieutenant-governor, or judge of the supreme judicial court, shall hold any other office or place, under the authority of this commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the state; nor shall they hold any other place or office, or receive any pension or salary from any other state or government or power whatever.

Same subject.
1 Allen, 553.

No person shall be capable of holding or exercising at the same time, within this state, more than one of the following offices, viz.: judge of probate — sheriff — register of probate — or register of deeds; and never more than any two offices, which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, military offices, and the offices of justices of the peace excepted, shall be held by one person.

Incompatible
offices.
For further pro-
visions as to
incompatible
offices, see
amendments,
Art. VIII.
Officers of Har-
vard College
excepted by
amendments,
Art. XXVII.

No person holding the office of judge of the supreme judicial court — secretary — attorney-general — solicitor-general — treasurer or receiver-general — judge of probate — commissary-general — [president, professor, or instructor of Harvard College] — sheriff — clerk of the house of representatives — register of probate — register of deeds — clerk of the supreme judicial court — clerk of the inferior court of common pleas — or officer of the customs, including in this description naval officers — shall at the same time have a seat in the senate or house of representatives; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives; and the place so vacated shall be filled up.

Incompatible
offices.

And the same rule shall take place in case any judge of the said supreme judicial court, or judge of probate, shall accept a seat in council; or any councillor shall accept of either of those offices or places.

Bribery, etc.,
disqualify.

And no person shall ever be admitted to hold a seat in the legislature, or any office of trust or importance under the government of this commonwealth, who shall, in the due

course of law, have been convicted of bribery or corruption in obtaining an election or appointment.

III. [In all cases where sums of money are mentioned in this constitution, the value thereof shall be computed in silver, at six shillings and eight pence per ounce; and it shall be in the power of the legislature, from time to time, to increase such qualifications, as to property, of the persons to be elected to offices, as the circumstances of the commonwealth shall require.]

Value of money ascertained.

Property qualifications may be increased. See amendments, Arts. XIII and XXXIV.

IV. All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy, and have the great seal of the commonwealth affixed thereto.

Provisions respecting commissions.

V. All writs, issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts; they shall be under the seal of the court from whence they issue; they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.

Provisions respecting writs.
2 Pick. 592.
3 Met. 58.
13 Gray, 74.

VI. All the laws which have heretofore been adopted, used, and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall still remain and be in full force, until altered or repealed by the legislature; such parts only excepted as are repugnant to the rights and liberties contained in this constitution.

Continuation of former laws, except, etc.
1 Mass. 59.
2 Mass. 534.
8 Pick. 309, 316.
16 Pick. 107, 115.
2 Met. 118.

VII. The privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious, and ample manner; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

Benefit of *habeas corpus* secured, except, etc.

VIII. The enacting style, in making and passing all acts, statutes, and laws, shall be — “Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same.”

The enacting style.

IX. [To the end there may be no failure of justice, or danger arise to the commonwealth from a change of the form of government, all officers, civil and military, holding commissions under the government and people of Massachusetts Bay in New England, and all other officers of the said government and people, at the time this constitution shall take effect, shall have, hold, use, exercise, and enjoy,

Officers of former government continued until, etc.

all the powers and authority to them granted or committed, until other persons shall be appointed in their stead; and all courts of law shall proceed in the execution of the business of their respective departments; and all the executive and legislative officers, bodies, and powers shall continue in full force, in the enjoyment and exercise of all their trusts, employments and authority; until the general court, and the supreme and executive officers under this constitution, are designated and invested with their respective trusts, powers, and authority.]

Provision for revising constitution. For existing provision as to amendments, see amendments, Art. IX.

X. [In order the more effectually to adhere to the principles of the constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the general court which shall be in the year of our Lord one thousand seven hundred and ninety-five, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments on the necessity or expediency of revising the constitution, in order to amendments.

Provision for revising constitution.

And if it shall appear, by the returns made, that two-thirds of the qualified voters throughout the state, who shall assemble and vote in consequence of the said precepts, are in favor of such revision or amendment, the general court shall issue precepts, or direct them to be issued from the secretary's office, to the several towns to elect delegates to meet in convention for the purpose aforesaid.

The said delegates to be chosen in the same manner and proportion as their representatives in the second branch of the legislature are by this constitution to be chosen.]

Provision for preserving and publishing this constitution.

XI. This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of this commonwealth, in all future editions of the said laws.

ARTICLES OF AMENDMENT.

Bill, etc., not approved within five days, not to become a law

Article I. If any bill or resolve shall be objected to, and not approved by the governor; and if the general court shall adjourn within five days after the same shall have been

laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

Art. II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

Art. III. Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the commonwealth one year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators, or representatives, [and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned,] shall have a right to vote in such election of governor, lieutenant-governor, senators, and representatives; and no other person shall be entitled to vote in such election.

For provision as to those who have served in the army or navy in time of war, see amendments, Arts. XXVIII and XXXI. See also amendments, Art. XXIII, which was annulled by amendments, Art. XXVI.

For absentee voting, see amendments, Art. XLV.

Art. IV. Notaries public shall be appointed by the governor in the same manner as judicial officers are appointed,

if legislature adjourn in the mean time.
3 Mass. 567.
See Const., Ch. I, § 1, Art. II.

General court empowered to charter cities.
122 Mass. 354.
See amendments, Arts. XLVII and XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Proviso.
112 Mass. 200.

Qualifications of voters for governor, lieutenant-governor, senators and representatives.
See amendments, Arts. XXX, XXXII, XL and XLV.
11 Pick. 538, 540.
14 Pick. 341.
14 Mass. 367.
5 Met. 162, 298, 591, 594.
7 Gray, 299.
122 Mass. 595, 597.
124 Mass. 596.
For educational qualification, see amendments, Art. XX.

Notaries public, how appointed and removed.

See amend-
ments, Art.
XXXVII.

and shall hold their offices during seven years, unless sooner removed by the governor, with the consent of the council, upon the address of both houses of the legislature.

For appointment of women as notaries public, see amendments, Art. LVII.

Vacancies in
the offices of
secretary and
treasurer, how
filled.
This clause
superseded by
amendments,
Art. XVII.

[In case the office of secretary or treasurer of the commonwealth shall become vacant from any cause, during the recess of the general court, the governor, with the advice and consent of the council, shall nominate and appoint, under such regulations as may be prescribed by law, a competent and suitable person to such vacant office, who shall hold the same until a successor shall be appointed by the general court.]

Commissary-
general may be
appointed, in
case, etc.

[Whenever the exigencies of the commonwealth shall require the appointment of a commissary-general, he shall be nominated, appointed, and commissioned, in such manner as the legislature may, by law, prescribe.]

Militia officers,
how removed.

All officers commissioned to command in the militia may be removed from office in such manner as the legislature may, by law, prescribe.]

Last two paragraphs of Art. IV annulled and superseded by amendments, Art. LIII.

Who may vote
for captains and
subalterns.

Art. V. [In the elections of captains and subalterns of the militia, all the members of their respective companies, as well those under as those above the age of twenty-one years, shall have a right to vote.]

This article annulled and superseded by amendments, Art. LIII.

Oath to be
taken by all
officers.
See Const.,
Ch. VI, Art. I.

Art. VI. Instead of the oath of allegiance prescribed by the constitution, the following oath shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this commonwealth, before he shall enter on the duties of his office, to wit:—

“I, A. B., do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the constitution thereof. So help me, God.”

Proviso.
Quakers may
affirm.

Provided, That when any person shall be of the denomination called Quakers, and shall decline taking said oath, he shall make his affirmation in the foregoing form, omitting the word “swear” and inserting, instead thereof, the word “affirm,” and omitting the words “So help me, God,” and subjoining, instead thereof, the words, “This I do under the pains and penalties of perjury.”

Tests abol-
ished.

Art. VII. No oath, declaration, or subscription, excepting the oath prescribed in the preceding article, and the oath of office, shall be required of the governor, lieutenant-

governor, councillors, senators, or representatives, to qualify them to perform the duties of their respective offices.

Art. VIII. No judge of any court of this commonwealth, (except the court of sessions,) and no person holding any office under the authority of the United States, (postmasters excepted,) shall, at the same time, hold the office of governor, lieutenant-governor, or councillor, or have a seat in the senate or house of representatives of this commonwealth; and no judge of any court in this commonwealth, (except the court of sessions,) nor the attorney-general, solicitor-general, county attorney, clerk of any court, sheriff, treasurer and receiver-general, register of probate, nor register of deeds, shall continue to hold his said office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of his said office; and judges of the courts of common pleas shall hold no other office under the government of this commonwealth, the office of justice of the peace and militia offices excepted.

Incompatibility
of offices.
122 Mass. 445,
600.
123 Mass. 525.

Art. IX. [If, at any time hereafter, any specific and particular amendment or amendments to the constitution be proposed in the general court, and agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, such proposed amendment or amendments shall be entered on the journals of the two houses, with the yeas and nays taken thereon, and referred to the general court then next to be chosen, and shall be published; and if, in the general court next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, then it shall be the duty of the general court to submit such proposed amendment or amendments to the people; and if they shall be approved and ratified by a majority of the qualified voters, voting thereon, at meetings legally warned and holden for that purpose, they shall become part of the constitution of this commonwealth.]

Amendments to
constitution,
how made.
This article
annulled by
Art. XLVIII,
General Pro-
visions, VIII.

Art. X. The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May; and the general court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the constitution required to be made and

Commence-
ment of politi-
cal year.
Further provi-
sion for
assembling
annually.
See amend-
ments, Art.
LXIV, sect. 3.

Termination
of political
year.

Governor, etc.,
to be elected
biennially.
See amend-
ments, Art.
LXIV, sect 1.

Meetings for the
choice of gov-
ernor, lieuten-
ant-governor,
etc., when to
be held.
This clause
superseded by
amendments,
Art. XV.

Article, when
to go into
operation.

Inconsistent
provisions
annulled.

done at the session which has heretofore commenced on the last Wednesday of May. And the general court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the governor. But nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary, or when called together by the governor. The governor, lieutenant-governor and councillors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

[The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice of representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.]

All the other provisions of the constitution, respecting the elections and proceedings of the members of the general court, or of any other officers or persons whatever, that have reference to the last Wednesday of May, as the commencement of the political year, shall be so far altered, as to have like reference to the first Wednesday of January.

[This article shall go into operation on the first day of October, next following the day when the same shall be duly ratified and adopted as an amendment of the constitution; and the governor, lieutenant-governor, councillors, senators, representatives, and all other state officers, who are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of January then next following, and until others are chosen and qualified in their stead, and no longer; and the first election of the governor, lieutenant-governor, senators, and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force, and go into operation, pursuant to the foregoing provision.]

All the provisions of the existing constitution, inconsistent with the provisions herein contained, are hereby wholly annulled.]

Art. XI. Instead of the third article of the bill of rights, the following modification and amendment thereof is substituted:—

“As the public worship of God and instructions in piety, religion, and morality, promote the happiness and prosperity of a people, and the security of a republican government; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by such society; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.”

Religious freedom established. See Dec. of Rights, Art. III. See amendments, Arts. XLVI and XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

122 Mass. 40, 41.

Art. XII. [In order to provide for a representation of the citizens of this commonwealth, founded upon the principles of equality, a census of the ratable polls, in each city, town, and district of the commonwealth, on the first day of May, shall be taken and returned into the secretary's office, in such manner as the legislature shall provide, within the month of May, in the year of our Lord one thousand eight hundred and thirty-seven, and in every tenth year thereafter, in the month of May, in manner aforesaid; and each town or city having three hundred ratable polls at the last preceding decennial census of polls, may elect one representative, and for every four hundred and fifty ratable polls in addition to the first three hundred, one representative more.

Census of ratable polls to be taken in 1837, and decennially thereafter. This article was superseded by amendments, Art. XIII, which was also superseded by amendments, Art. XXI.

Representatives, how apportioned.

Any town having less than three hundred ratable polls shall be represented thus: The whole number of ratable polls, at the last preceding decennial census of polls, shall be multiplied by ten, and the product divided by three hundred; and such town may elect one representative as many years within ten years, as three hundred is contained in the product aforesaid.

Towns having less than 300 ratable polls, how represented.

Fractions, how represented.

Any city or town having ratable polls enough to elect one or more representatives, with any number of polls beyond the necessary number, may be represented, as to that surplus number, by multiplying such surplus number by ten and dividing the product by four hundred and fifty; and such city or town may elect one additional representative as many years, within the ten years, as four hundred and fifty is contained in the product aforesaid.

Towns may unite into representative districts.

Any two or more of the several towns and districts may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns and districts, respectively, called for that purpose, and held previous to the first day of July, in the year in which the decennial census of polls shall be taken, form themselves into a representative district to continue until the next decennial census of polls, for the election of a representative, or representatives; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of ratable polls.

The governor and council to determine the number of representatives to which each town is entitled.

The governor and council shall ascertain and determine, within the months of July and August, in the year of our Lord one thousand eight hundred and thirty-seven, according to the foregoing principles, the number of representatives, which each city, town, and representative district is entitled to elect, and the number of years, within the period of ten years then next ensuing, that each city, town, and representative district may elect an additional representative; and where any town has not a sufficient number of polls to elect a representative each year, then, how many years within the ten years, such town may elect a representative; and the same shall be done once in ten years, thereafter, by the governor and council, and the number of ratable polls in each decennial census of polls, shall determine the number of representatives, which each city, town and representative district may elect as aforesaid; and when the number of representatives to be elected by each city, town, or representative district is ascertained and determined as aforesaid, the governor shall cause the same to be published forthwith for the information of the people, and that number shall remain fixed and unalterable for the period of ten years.

New apportionment to be made once in every ten years.

Inconsistent provisions annulled.

All the provisions of the existing constitution inconsistent with the provisions herein contained, are hereby wholly annulled.]

Art. XIII. [A census of the inhabitants of each city and town, on the first day of May, shall be taken, and returned into the secretary's office, on or before the last day of June, of the year one thousand eight hundred and forty, and of every tenth year thereafter; which census shall determine the apportionment of senators and representatives for the term of ten years.

122 Mass. 595.

The several senatorial districts now existing shall be permanent. The senate shall consist of forty members; and in the year one thousand eight hundred and forty, and every tenth year thereafter, the governor and council shall assign the number of senators to be chosen in each district, according to the number of inhabitants in the same. But, in all cases, at least one senator shall be assigned to each district.

The members of the house of representatives shall be apportioned in the following manner: Every town or city containing twelve hundred inhabitants may elect one representative; and two thousand four hundred inhabitants shall be the mean increasing number, which shall entitle it to an additional representative.

Every town containing less than twelve hundred inhabitants shall be entitled to elect a representative as many times within ten years as the number one hundred and sixty is contained in the number of the inhabitants of said town. Such towns may also elect one representative for the year in which the valuation of estates within the commonwealth shall be settled.

Any two or more of the several towns may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns, respectively, called for that purpose, and held before the first day of August, in the year one thousand eight hundred and forty, and every tenth year thereafter, form themselves into a representative district, to continue for the term of ten years; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of inhabitants.

The number of inhabitants which shall entitle a town to elect one representative, and the mean increasing number which shall entitle a town or city to elect more than one, and also the number by which the population of towns not entitled to a representative every year is to be divided, shall be increased, respectively, by one-tenth of the numbers above mentioned, whenever the population of the commonwealth

Census of inhabitants to be taken in 1840, and decennially thereafter, for basis of representation. Provisions as to census superseded by amendments, Arts. XXI and XXII. Senatorial districts declared permanent. Provisions as to senators superseded by amendments, Art. XXII.

House of representatives, how apportioned. Provisions as to representatives superseded by amendments, Art. XXI.

Small towns, how represented.

Towns may unite into representative districts.

Basis of representation, and ratio of increase.

shall have increased to seven hundred and seventy thousand, and for every additional increase of seventy thousand inhabitants, the same addition of one-tenth shall be made, respectively, to the said numbers above mentioned.

The governor and council to apportion the number of representatives of each town once in every ten years.

In the year of each decennial census, the governor and council shall, before the first day of September, apportion the number of representatives which each city, town, and representative district is entitled to elect, and ascertain how many years, within ten years, any town may elect a representative, which is not entitled to elect one every year; and the governor shall cause the same to be published forthwith.

Councillors to be chosen from the people at large. Provisions as to councillors superseded by amendments, Art. XVI.

Nine councillors shall be annually chosen from among the people at large, on the first Wednesday of January, or as soon thereafter as may be, by the joint ballot of the senators and representatives, assembled in one room, who shall, as soon as may be, in like manner, fill up any vacancies that may happen in the council, by death, resignation, or otherwise. No person shall be elected a councillor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding his election; and not more than one councillor shall be chosen from any one senatorial district in the commonwealth.]

Qualifications of councillors.

Freehold as a qualification for a seat in general court or council not required.

No possession of a freehold, or of any other estate, shall be required as a qualification for holding a seat in either branch of the general court, or in the executive council.

Elections by the people to be by plurality of votes.

Art. XIV. In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

Time of annual election of governor and legislature. For change to biennial elections, see amendments, Art. LXIV, sects. 1-4.

Art. XV. The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the Tuesday next after the first Monday in November, annually; but in case of a failure to elect representatives on that day, a second meeting shall be holden, for that purpose, on the fourth Monday of the same month of November.

For compulsory voting, see amendments, Art. LXI.

Eight councillors to be chosen by the people. 122 Mass. 595, 598. For change to biennial elections, see amendments, Art. LXIV, sects. 1-4. For compulsory voting, see

Art. XVI. Eight councillors shall be [annually] chosen by the inhabitants of this commonwealth, qualified to vote for governor. The election of councillors shall be determined by the same rule that is required in the election of governor. The legislature, at its first session after this amendment shall have been adopted, and at its first session after the next state census shall have been taken, and at its first session after each decennial state census thereafterwards, shall

divide the commonwealth into eight districts of contiguous territory, each containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one councillor: *provided, however*, that if, at any time, the constitution shall provide for the division of the commonwealth into forty senatorial districts, then the legislature shall so arrange the councillor districts, that each district shall consist of five contiguous senatorial districts, as they shall be, from time to time, established by the legislature. No person shall be eligible to the office of councillor who has not been an inhabitant of the commonwealth for the term of five years immediately preceding his election. The day and manner of the election, the return of the votes, and the declaration of the said elections, shall be the same as are required in the election of governor. [Whenever there shall be a failure to elect the full number of councillors, the vacancies shall be filled in the same manner as is required for filling vacancies in the senate; and vacancies occasioned by death, removal from the state, or otherwise, shall be filled in like manner, as soon as may be, after such vacancies shall have happened.] And that there may be no delay in the organization of the government on the first Wednesday of January, the governor, with at least five councillors for the time being, shall, as soon as may be, examine the returned copies of the records for the election of governor, lieutenant-governor, and councillors; and ten days before the said first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the senate and house of representatives on the said first Wednesday in January, to be by them examined; and in case of the election of either of said officers, the choice shall be by them declared and published; but in case there shall be no election of either of said officers, the legislature shall proceed to fill such vacancies in the manner provided in the constitution for the choice of such officers.

Art. XVII. The secretary, treasurer and receiver-general, auditor, and attorney-general, shall be chosen [annually,] on the day in November prescribed for the choice of governor; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of [one year] from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The

amendments,
Art. LXI.
Legislature to
district state.

Proviso.

Eligibility
defined.

Day and man-
ner of election,
etc.

Vacancies, how
filled.
For new pro-
vision as to
vacancies, see
amendments,
Art. XXV.

Organization of
the govern-
ment.

Election of
secretary,
treasurer,
auditor, and
attorney-gen-
eral by the
people.
For election
biennially, etc.,
see amend-
ments, Art.
LXIV, sect. 1.

For compulsory voting, see amendments, Art. I.XI.

Vacancies, how filled.

To qualify within ten days, otherwise office to be deemed vacant.

Qualification requisite.

School moneys not to be applied for sectarian schools. For original provision as to schools, see constitution, Part First, Art. III. 12 Allen, 500, 508. 103 Mass. 94, 96. This article was superseded by amendments, Art. XLVI. Legislature to prescribe for the election of sheriffs, registers of probate, etc. See amendments, Art. XXXVI. 8 Gray, 1. 13 Gray, 74.

qualification of the voters, the manner of the election, the return of the votes, and the declaration of the election, shall be such as are required in the election of governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the mean time, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the two persons who had the highest number of votes for said offices on the day in November aforesaid, by joint ballot of the senators and representatives, in one room; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead. In case any person chosen or appointed to either of the offices aforesaid, shall neglect, for the space of ten days after he could otherwise enter upon his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of said offices unless he shall have been an inhabitant of this commonwealth five years next preceding his election or appointment.

Art. XVIII. [All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the state for the support of common schools, shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is to be expended; and such moneys shall never be appropriated to any religious sect for the maintenance, exclusively, of its own school.]

Art. XIX. The legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, [commissioners of insolvency,] and clerks of the courts, by the people of the several counties, and that district-attorneys shall be chosen by the people of the several districts, for such term of office as the legislature shall prescribe.

Art. XX. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: *provided, however,* that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be sixty years of age or upwards at the time this amendment shall take effect.

For absentee voting, see amendments, Art. XLV.

Art. XXI. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters; and in each city, said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of representatives for the periods between the taking of the census.

The house of representatives shall consist of two hundred and forty members, which shall be apportioned by the legislature, at its first session after the return of each enumeration as aforesaid, to the several counties of the commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this purpose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth; and it shall be the duty of the secretary of the commonwealth, to certify, as soon as may be after it is determined by the legislature, the number of representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts. The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, — or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by

Reading constitution in English and writing, necessary qualifications of voters. Proviso.

For other qualifications, see amendments, Art. III.

See also amendments, Art. XXIII, which was annulled by amendments, Art. XXVI.

Census of legal voters and of inhabitants, when taken, etc. See P. S. c. 31.

House of representatives to consist of 240 members. Legislature to apportion, etc. 10 Gray, 613.

Secretary shall certify to officers authorized to divide counties.

Meeting for
division to be
first Tuesday
in August.
Proceedings.

Qualifications
of representa-
tives.
122 Mass. 595,
598.

Districts to be
numbered,
described and
certified.

Quorum.
See amend-
ments, Art.
XXXIII.

Census, etc.
See P. S. c. 31.

Voters to be
basis of appor-
tionment of
senators.

Senate to con-
sist of forty
members.

law, — shall, on the first Tuesday of August next after each assignment of representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives. Every representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of representatives, and of ascertaining their election, shall be prescribed by law. [Not less than one hundred members of the house of representatives shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

Art. XXII. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of senators for the periods between the taking of the census. The senate shall consist of forty members. The general court shall, at its first session after each next preceding special enumeration, divide the commonwealth into forty districts of adjacent territory, each

district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: *provided, however*, that no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth. [Not less than sixteen senators shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

Senatorial districts, etc. See amendments, Art. XXIV.

Qualifications of senators.

Quorum. See amendments, Art. XXXIII.

Art. XXIII. [No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.]

Residence of two years required of naturalized citizens, to entitle to suffrage or make eligible to office. This article annulled by Art. XXVI.

Art. XXIV. Any vacancy in the senate shall be filled by election by the people of the unrepresented district, upon the order of a majority of the senators elected.

Vacancies in the senate.

Art. XXV. In case of a vacancy in the council, from a failure of election, or other cause, the senate and house of representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the legislature is not in session, the governor, with the advice and consent of the council, may fill the same by appointment of some eligible person.

Vacancies in the council.

Art. XXVI. The twenty-third article of the articles of amendment of the constitution of this commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be

Twenty-third article of amendments annulled.

otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

Provisions of Art. II, Chap. VI, relating to officers of Harvard College, annulled.

Art. XXVII. So much of article two of chapter six of the constitution of this commonwealth as relates to persons holding the office of president, professor, or instructor of Harvard College, is hereby annulled.

Superseded by Art. XXXI.

Art. XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of [being a pauper;] or [if a pauper,] because of the non-payment of a poll tax.

Voting precincts in towns. For absentee voting provision, see amendments, Art. XLV.

Art. XXIX. The general court shall have full power and authority to provide for the inhabitants of the towns in this commonwealth more than one place of public meeting within the limits of each town for the election of officers under the constitution, and to prescribe the manner of calling, holding and conducting such meetings. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Voters not disqualified by reason of change of residence until six months from time of removal. For absentee voting provision, see amendments, Art. XLV.

Art. XXX. No person, otherwise qualified to vote in elections for governor, lieutenant-governor, senators, and representatives, shall, by reason of a change of residence within the commonwealth, be disqualified from voting for said officers in the city or town from which he has removed his residence, until the expiration of six calendar months from the time of such removal.

Amendments, Art. XXVIII, amended.

Art. XXXI. Article twenty-eight of the amendments of the constitution is hereby amended by striking out in the fourth line thereof the words "being a pauper", and inserting in place thereof the words:—receiving or having received aid from any city or town,— and also by striking out in said fourth line the words "if a pauper", so that the article as amended shall read as follows: **ARTICLE XXVIII.** No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the non-payment of a poll tax.

Person who served in army or navy, etc., not disqualified from voting for non-payment of poll tax.

Art. XXXII. So much of article three of the amendments of the constitution of the commonwealth as is contained in the following words: "and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned", is hereby annulled.

Provisions of amendments, Art. III, relative to payment of a tax as a voting qualification, annulled.

Art. XXXIII. A majority of the members of each branch of the general court shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and compel the attendance of absent members. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Quorum, in each branch of the general court, to consist of a majority of members.

Art. XXXIV. So much of article two of section one of chapter two of part the second of the constitution of the commonwealth as is contained in the following words: "and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds"; is hereby annulled.

Provisions of Art. II, § I, Chap. II, Part II, relative to property qualification of governor, annulled.

Art. XXXV. So much of article two of section three of chapter one of the constitution of the commonwealth as is contained in the following words: "The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave", is hereby annulled.

Provisions of Art. II, § III, Chap. I, relative to expense of travelling to the general assembly by members of the house, annulled.

Art. XXXVI. So much of article nineteen of the articles of amendment to the constitution of the commonwealth as is contained in the following words: "commissioners of insolvency", is hereby annulled.

Amendments, Art. XIX, amended.

Art. XXXVII. The governor, with the consent of the council, may remove justices of the peace and notaries public.

Removal of certain officers.

Art. XXXVIII. Voting machines or other mechanical devices for voting may be used at all elections under such regulations as may be prescribed by law: *provided, however*, that the right of secret voting shall be preserved.

Voting machines may be used at elections. For compulsory voting, see amendments, Art. LXI.

Art. XXXIX. Article ten of part one of the constitution is hereby amended by adding to it the following words: — The legislature may by special acts for the purpose of laying out, widening or relocating highways or streets, authorize the taking in fee by the commonwealth, or by a

Powers of the legislature relative to the taking of land, etc., for widening or relocating highways, etc.

county, city or town, of more land and property than are needed for the actual construction of such highway or street: *provided, however*, that the land and property authorized to be taken are specified in the act and are no more in extent than would be sufficient for suitable building lots on both sides of such highway or street, and after so much of the land or property has been appropriated for such highway or street as is needed therefor, may authorize the sale of the remainder for value with or without suitable restrictions.

Amendments,
Art. III,
amended.

Art. XL. Article three of the amendments to the constitution is hereby amended by inserting after the word "guardianship", in line two, the following:—and persons temporarily or permanently disqualified by law because of corrupt practices in respect to elections.

Taxation of
wild or forest
lands.

Art. XLI. Full power and authority are hereby given and granted to the general court to prescribe for wild or forest lands such methods of taxation as will develop and conserve the forest resources of the commonwealth.

Referendum.
This article
annulled and
superseded by
amendments,
Art. XLVIII,
General Pro-
visions, VIII.

Art. XLII. [Full power and authority are hereby given and granted to the general court to refer to the people for their rejection or approval at the polls any act or resolve of the general court or any part or parts thereof. Such reference shall be by a majority yea and nay vote of all members of each house present and voting. Any act, resolve, or part thereof so referred shall be voted on at the regular state election next ensuing after such reference, shall become law if approved by a majority of the voters voting thereon, and shall take effect at the expiration of thirty days after the election at which it was approved or at such time after the expiration of the said thirty days as may be fixed in such act, resolve or part thereof.]

Powers of the
general court
relative to the
taking of land,
etc., to relieve
congestion of
population
and to provide
homes for
citizens.
Proviso.

Art. XLIII. The general court shall have power to authorize the commonwealth to take land and to hold, improve, sub-divide, build upon and sell the same, for the purpose of relieving congestion of population and providing homes for citizens: *provided, however*, that this amendment shall not be deemed to authorize the sale of such land or buildings at less than the cost thereof.

Credit of the commonwealth restricted by amendments, Art. LXII, sect. 1.

Powers of the
general court
relative to
imposing and
levying a tax
on income;
exemptions,
etc.

Art. XLIV. Full power and authority are hereby given and granted to the general court to impose and levy a tax on income in the manner hereinafter provided. Such tax may be at different rates upon income derived from different classes of property, but shall be levied at a uniform rate

throughout the commonwealth upon incomes derived from the same class of property. The general court may tax income not derived from property at a lower rate than income derived from property, and may grant reasonable exemptions and abatements. Any class of property the income from which is taxed under the provisions of this article may be exempted from the imposition and levying of proportional and reasonable assessments, rates and taxes as at present authorized by the constitution. This article shall not be construed to limit the power of the general court to impose and levy reasonable duties and excises.

Art. XLV. The general court shall have power to provide by law for voting by qualified voters of the commonwealth who, at the time of an election, are absent from the city or town of which they are inhabitants in the choice of any officer to be elected or upon any question submitted at such election.

Powers of the general court to provide by law for absentee voting. For compulsory voting, see amendments, Art. LXI.

Art. XLVI. (In place of article XVIII of the articles of amendment of the constitution ratified and adopted May 23, 1855, the following article of amendment, submitted by the constitutional convention, was ratified and adopted November 6, 1917.) **ARTICLE XVIII. SECTION 1.** No law shall be passed prohibiting the free exercise of religion.

No law to prohibit free exercise of religion. This amendment shall not be the subject of an initiative amendment. See amendments, Art. XLVIII, The initiative, II, sect. 2.

SECTION 2. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the commonwealth for the support of common schools shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is expended; and no grant, appropriation or use of public money or property or loan of public credit shall be made or authorized by the commonwealth or any political division thereof for the purpose of founding, maintaining or aiding any school or institution of learning, whether under public control or otherwise, wherein any denominational doctrine is inculcated, or any other school, or any college, infirmary, hospital, institution, or educational, charitable or religious undertaking which is not publicly owned and under the exclusive control, order and superintendence of public officers or public agents authorized by the commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in

Public money not to be expended to aid educational, charitable, religious or other institutions not wholly under public ownership and control, etc. Credit of the commonwealth restricted by amendments, Art. LXII, sect. 1.

Exceptions.

Massachusetts and for free public libraries in any city or town, and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society.

Care or support in private hospitals, etc., of persons who are public charges.

SECTION 3. Nothing herein contained shall be construed to prevent the commonwealth, or any political division thereof, from paying to privately controlled hospitals, infirmaries, or institutions for the deaf, dumb or blind not more than the ordinary and reasonable compensation for care or support actually rendered or furnished by such hospitals, infirmaries or institutions to such persons as may be in whole or in part unable to support or care for themselves.

Inmates of certain public institutions not to be deprived of religious exercises of their own faith; nor compelled to attend religious services, etc., against their will, etc.

SECTION 4. Nothing herein contained shall be construed to deprive any inmate of a publicly controlled reformatory, penal or charitable institution of the opportunity of religious exercises therein of his own faith; but no inmate of such institution shall be compelled to attend religious services or receive religious instruction against his will, or, if a minor, without the consent of his parent or guardian.

Time of taking effect.

SECTION 5. This amendment shall not take effect until the October first next succeeding its ratification and adoption by the people.

General court to determine manner of distribution of food, etc., during time of war, etc., by the commonwealth, cities and towns.

Art. XLVII. The maintenance and distribution at reasonable rates, during time of war, public exigency, emergency or distress, of a sufficient supply of food and other common necessities of life and the providing of shelter, are public functions, and the commonwealth and the cities and towns therein may take and may provide the same for their inhabitants in such manner as the general court shall determine.

Art. XLVIII.

I. Definition.

Initiative and referendum, definition.

Legislative power shall continue to be vested in the general court; but the people reserve to themselves the popular initiative, which is the power of a specified number of voters to submit constitutional amendments and laws to the people for approval or rejection; and the popular referendum, which is the power of a specified number of voters to submit laws, enacted by the general court, to the people for their ratification or rejection.

THE INITIATIVE.

II. *Initiative Petitions.*

SECTION 1. *Contents.* — An initiative petition shall set forth the full text of the constitutional amendment or law, hereinafter designated as the measure, which is proposed by the petition.

Contents of initiative petition.

SECTION 2. *Excluded Matters.* — No measure that relates to religion, religious practices or religious institutions; or to the appointment, qualification, tenure, removal, recall or compensation of judges; or to the reversal of a judicial decision; or to the powers, creation or abolition of courts; or the operation of which is restricted to a particular town, city or other political division or to particular districts or localities of the commonwealth; or that makes a specific appropriation of money from the treasury of the commonwealth, shall be proposed by an initiative petition; but if a law approved by the people is not repealed, the general court shall raise by taxation or otherwise and shall appropriate such money as may be necessary to carry such law into effect.

Certain matters shall not be proposed by initiative petition.

Obligation upon general court, when a law is approved by the people.

Neither the eighteenth amendment of the constitution, as approved and ratified to take effect on the first day of October in the year nineteen hundred and eighteen, nor this provision for its protection, shall be the subject of an initiative amendment.

Anti-aid amendment, so-called (Art. XLVI), not to be subject of initiative amendment.

No proposition inconsistent with any one of the following rights of the individual, as at present declared in the declaration of rights, shall be the subject of an initiative or referendum petition: The right to receive compensation for private property appropriated to public use; the right of access to and protection in courts of justice; the right of trial by jury; protection from unreasonable search, unreasonable bail and the law martial; freedom of the press; freedom of speech; freedom of elections; and the right of peaceable assembly.

Certain individual rights not to be subject of initiative or referendum petition.

No part of the constitution specifically excluding any matter from the operation of the popular initiative and referendum shall be the subject of an initiative petition; nor shall this section be the subject of such a petition.

Further excluded matters.

The limitations on the legislative power of the general court in the constitution shall extend to the legislative power of the people as exercised hereunder.

Certain legislative limitations extended.

Initiative petition, mode of originating, etc.

SECTION 3. *Mode of Originating.* — Such petition shall first be signed by ten qualified voters of the commonwealth and shall then be submitted to the attorney-general, and if he shall certify that the measure is in proper form for submission to the people, and that it is not, either affirmatively or negatively, substantially the same as any measure which has been qualified for submission or submitted to the people within three years of the succeeding first Wednesday in December and that it contains only subjects not excluded from the popular initiative and which are related or which are mutually dependent, it may then be filed with the secretary of the commonwealth. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed measure as such description will appear on the ballot together with the names and residences of the first ten signers. All initiative petitions, with the first ten signatures attached, shall be filed with the secretary of the commonwealth not earlier than the first Wednesday of the September before the assembling of the general court into which they are to be introduced, and the remainder of the required signatures shall be filed not later than the first Wednesday of the following December.

Secretary of the commonwealth to furnish blank forms, etc.

Time of filing initiative petitions.

Transmission of proposed measure to the general court.

SECTION 4. *Transmission to the General Court.* — If an initiative petition, signed by the required number of qualified voters, has been filed as aforesaid, the secretary of the commonwealth shall, upon the assembling of the general court, transmit it to the clerk of the house of representatives, and the proposed measure shall then be deemed to be introduced and pending.

III. *Legislative Action. General Provisions.*

Reference to legislative committee and report thereon.

SECTION 1. *Reference to Committee.* — If a measure is introduced into the general court by initiative petition, it shall be referred to a committee thereof, and the petitioners and all parties in interest shall be heard, and the measure shall be considered and reported upon to the general court with the committee's recommendations, and the reasons therefor, in writing. Majority and minority reports shall be signed by the members of said committee.

Legislative substitute for initiative measure.

SECTION 2. *Legislative Substitutes.* — The general court may, by resolution passed by yea and nay vote, either by the two houses separately, or in the case of a constitutional

amendment by a majority of those voting thereon in joint session in each of two years as hereinafter provided, submit to the people a substitute for any measure introduced by initiative petition, such substitute to be designated on the ballot as the legislative substitute for such an initiative measure and to be grouped with it as an alternative therefor.

IV. Legislative Action on Proposed Constitutional Amendments.

SECTION 1. *Definition.* — A proposal for amendment to the constitution introduced into the general court by initiative petition shall be designated an initiative amendment, and an amendment introduced by a member of either house shall be designated a legislative substitute or a legislative amendment.

Definition of initiative amendment and legislative substitute.

SECTION 2. *Joint Session.* — If a proposal for a specific amendment of the constitution is introduced into the general court by initiative petition signed by not less than twenty-five thousand qualified voters, or if in case of a proposal for amendment introduced into the general court by a member of either house, consideration thereof in joint session is called for by vote of either house, such proposal shall, not later than the second Wednesday in June, be laid before a joint session of the two houses, at which the president of the senate shall preside; and if the two houses fail to agree upon a time for holding any joint session hereby required, or fail to continue the same from time to time until final action has been taken upon all amendments pending, the governor shall call such joint session or continuance thereof.

Joint session to consider amendment to the constitution.

When governor shall call joint session.

SECTION 3. *Amendment of Proposed Amendments.* — A proposal for an amendment to the constitution introduced by initiative petition shall be voted upon in the form in which it was introduced, unless such amendment is amended by vote of three-fourths of the members voting thereon in joint session, which vote shall be taken by call of the yeas and nays if called for by any member.

Proposed amendment to the constitution, form in which to be voted upon.

SECTION 4. *Legislative Action.* — Final legislative action in the joint session upon any amendment shall be taken only by call of the yeas and nays, which shall be entered upon the journals of the two houses; and an unfavorable vote at any stage preceding final action shall be verified by call of the yeas and nays, to be entered in like manner. At such joint session a legislative amendment receiving the affirma-

Final legislative action to be taken by yeas and nays.

Reference to next general court.

tive votes of a majority of all the members elected, or an initiative amendment receiving the affirmative votes of not less than one-fourth of all the members elected, shall be referred to the next general court.

Submission of legislative amendment, etc., to the people.

SECTION 5. *Submission to the People.*—If in the next general court a legislative amendment shall again be agreed to in joint session by a majority of all the members elected, or if an initiative amendment or a legislative substitute shall again receive the affirmative votes of at least one-fourth of all the members elected, such fact shall be certified by the clerk of such joint session to the secretary of the commonwealth, who shall submit the amendment to the people at the next state election. Such amendment shall become part of the constitution if approved, in the case of a legislative amendment, by a majority of the voters voting thereon, or if approved, in the case of an initiative amendment or a legislative substitute, by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such amendment.

When amendment becomes part of the constitution.

V. *Legislative Action on Proposed Laws.*

Legislative procedure on law proposed by initiative petition, etc.

SECTION 1. *Legislative Procedure.*—If an initiative petition for a law is introduced into the general court, signed by not less than twenty thousand qualified voters, a vote shall be taken by yeas and nays in both houses before the first Wednesday of June upon the enactment of such law in the form in which it stands in such petition. If the general court fails to enact such law before the first Wednesday of June, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following July nor later than the first Wednesday of the following August, not less than five thousand signatures of qualified voters, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of June aforesaid, then the secretary of the commonwealth shall submit such proposed law to the people at the next state election. If it shall be approved by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such law, it shall become law, and shall take effect in thirty

When measure becomes law and takes effect.

days after such state election or at such time after such election as may be provided in such law.

SECTION 2. *Amendment by Petitioners.* — If the general court fails to pass a proposed law before the first Wednesday of June, a majority of the first ten signers of the initiative petition therefor shall have the right, subject to certification by the attorney-general, filed as hereinafter provided, to amend the measure which is the subject of such petition. An amendment so made shall not invalidate any signature attached to the petition. If the measure so amended, signed by a majority of the first ten signers, is filed with the secretary of the commonwealth before the first Wednesday of the following July, together with a certificate signed by the attorney-general to the effect that the amendment made by such proposers is in his opinion perfecting in its nature and does not materially change the substance of the measure, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following July nor later than the first Wednesday of the following August, not less than five thousand signatures of qualified voters, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of June aforesaid, then the secretary of the commonwealth shall submit the measure to the people in its amended form.

Amendment of proposed law by petitioners and submission of measure to the people by the secretary of the commonwealth.

VI. *Conflicting and Alternative Measures.*

If in any judicial proceeding, provisions of constitutional amendments or of laws approved by the people at the same election are held to be in conflict, then the provisions contained in the measure that received the largest number of affirmative votes at such election shall govern.

Conflicting and alternative measures, which shall govern when approved by the people, etc.

A constitutional amendment approved at any election shall govern any law approved at the same election.

The general court, by resolution passed as hereinbefore set forth, may provide for grouping and designating upon the ballot as conflicting measures or as alternative measures, only one of which is to be adopted, any two or more proposed constitutional amendments or laws which have been or may be passed or qualified for submission to the people at any one election: *provided*, that a proposed constitutional amendment and a proposed law shall not be so grouped, and that the

General court to provide for grouping, etc., upon the ballot.

Proviso.

Only measure receiving largest affirmative vote to be deemed approved.

ballot shall afford an opportunity to the voter to vote for each of the measures or for only one of the measures, as may be provided in said resolution, or against each of the measures so grouped as conflicting or as alternative. In case more than one of the measures so grouped shall receive the vote required for its approval as herein provided, only that one for which the largest affirmative vote was cast shall be deemed to be approved.

THE REFERENDUM.

I. When Statutes shall take Effect.

When laws passed by general court take effect.

No law passed by the general court shall take effect earlier than ninety days after it has become a law, excepting laws declared to be emergency laws and laws which may not be made the subject of a referendum petition, as herein provided.

II. Emergency Measures.

Emergency law to contain preamble.

Yea and nay vote thereon. See amendments, Art. LXVII.

How governor may cause certain laws to take effect forthwith.

Exception.

A law declared to be an emergency law shall contain a preamble setting forth the facts constituting the emergency, and shall contain the statement that such law is necessary for the immediate preservation of the public peace, health, safety or convenience. [A separate vote shall be taken on the preamble by call of the yeas and nays, which shall be recorded, and unless the preamble is adopted by two-thirds of the members of each house voting thereon, the law shall not be an emergency law; but] if the governor, at any time before the election at which it is to be submitted to the people on referendum, files with the secretary of the commonwealth a statement declaring that in his opinion the immediate preservation of the public peace, health, safety or convenience requires that such law should take effect forthwith and that it is an emergency law and setting forth the facts constituting the emergency, then such law, if not previously suspended as hereinafter provided, shall take effect without suspension, or if such law has been so suspended such suspension shall thereupon terminate and such law shall thereupon take effect: but no grant of any franchise or amendment thereof, or renewal or extension thereof for more than one year shall be declared to be an emergency law.

III. *Referendum Petitions.*

SECTION 1. *Contents.* — A referendum petition may ask for a referendum to the people upon any law enacted by the general court which is not herein expressly excluded.

Contents of referendum petition.

SECTION 2. *Excluded Matters.* — No law that relates to religion, religious practices or religious institutions; or to the appointment, qualification, tenure, removal or compensation of judges; or to the powers, creation or abolition of courts; or the operation of which is restricted to a particular town, city or other political division or to particular districts or localities of the commonwealth; or that appropriates money for the current or ordinary expenses of the commonwealth or for any of its departments, boards, commissions or institutions shall be the subject of a referendum petition.

Certain matters shall not be the subject of a referendum petition.

SECTION 3. *Mode of Petitioning for the Suspension of a Law and a Referendum thereon.* — A petition asking for a referendum on a law, and requesting that the operation of such law be suspended, shall first be signed by ten qualified voters and shall then be filed with the secretary of the commonwealth not later than thirty days after the law that is the subject of the petition has become law. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers. If such petition is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than fifteen thousand qualified voters of the commonwealth, then the operation of such law shall be suspended, and the secretary of the commonwealth shall submit such law to the people at the next state election, if thirty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election; if thirty days do not so intervene, then such law shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall be approved by a majority of the qualified voters voting thereon, such law shall, subject to the provisions of the constitution, take effect in thirty days after such election, or at such time after such election as may be provided in

Mode of petitioning for the suspension of a law and a referendum thereon.

Duties of the secretary of the commonwealth, etc.

Votes necessary for approval, etc.

such law; if not so approved such law shall be null and void; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

Petitions for referendum on an emergency law or a law the suspension of which is not asked for.

SECTION 4. *Petitions for Referendum on an Emergency Law or a Law the Suspension of which is not asked for.* — A referendum petition may ask for the repeal of an emergency law or of a law which takes effect because the referendum petition does not contain a request for suspension, as aforesaid. Such petition shall first be signed by ten qualified voters of the commonwealth, and shall then be filed with the secretary of the commonwealth not later than thirty days after the law which is the subject of the petition has become law. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers. If such petition filed as aforesaid is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than ten thousand qualified voters of the commonwealth protesting against such law and asking for a referendum thereon, then the secretary of the commonwealth shall submit such law to the people at the next state election, if thirty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election. If thirty days do not so intervene, then it shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall not be approved by a majority of the qualified voters voting thereon, it shall, at the expiration of thirty days after such election, be thereby repealed; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

Duties of the secretary of the commonwealth, etc.

Votes necessary for approval, etc.

GENERAL PROVISIONS.

I. *Identification and Certification of Signatures.*

Identification and certification of signatures to petitions, etc.

Provision shall be made by law for the proper identification and certification of signatures to the petitions hereinbefore referred to, and for penalties for signing any such petition, or refusing to sign it, for money or other valuable

consideration, and for the forgery of signatures thereto. Pending the passage of such legislation all provisions of law relating to the identification and certification of signatures to petitions for the nomination of candidates for state offices or to penalties for the forgery of such signatures shall apply to the signatures to the petitions herein referred to. The general court may provide by law that no co-partnership or corporation shall undertake for hire or reward to circulate petitions, may require individuals who circulate petitions for hire or reward to be licensed, and may make other reasonable regulations to prevent abuses arising from the circulation of petitions for hire or reward.

Law to regulate petitions circulated for hire or reward.

II. *Limitation on Signatures.*

Not more than one-fourth of the certified signatures on any petition shall be those of registered voters of any one county.

Limitation on signatures.

III. *Form of Ballot.*

Each proposed amendment to the constitution, and each law, submitted to the people, shall be described on the ballots by a description to be determined by the attorney-general, subject to such provision as may be made by law, and the secretary of the commonwealth shall give each question a number and cause such question, except as otherwise authorized herein, to be printed on the ballot in the following form:—

Form of question on ballot, etc.

In the case of an amendment to the constitution: Shall an amendment to the constitution (here insert description, and state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon) be approved?

YES.	
NO.	

In the case of a law: Shall a law (here insert description, and state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon) be approved?

YES.	
NO.	

IV. *Information for Voters.*

The secretary of the commonwealth shall cause to be printed and sent to each registered voter in the commonwealth the full text of every measure to be submitted to the people, together with a copy of the legislative committee's majority and minority reports, if there be such, with the

Certain information for voters to be sent by secretary of the commonwealth.

names of the majority and minority members thereon, a statement of the votes of the general court on the measure, and a description of the measure as such description will appear on the ballot; and shall, in such manner as may be provided by law, cause to be prepared and sent to the voters other information and arguments for and against the measure.

V. The Veto Power of the Governor.

Governor's
veto not to
extend to
certain
measures.

The veto power of the governor shall not extend to measures approved by the people.

VI. The General Court's Power of Repeal.

Power of
amendment
or repeal of a
law by gen-
eral court.

Subject to the veto power of the governor and to the right of referendum by petition as herein provided, the general court may amend or repeal a law approved by the people.

VII. Amendment declared to be Self-executing.

This amend-
ment to be
self-executing,
etc.

This article of amendment to the constitution is self-executing, but legislation not inconsistent with anything herein contained may be enacted to facilitate the operation of its provisions.

VIII. Articles IX and XLII of Amendments of the Constitution annulled.

Amendments,
Arts. IX and
XLII,
annulled.

Article IX and Article XLII of the amendments of the constitution are hereby annulled.

Conservation,
etc., of
natural re-
sources of the
common-
wealth.

Art. XLIX. The conservation, development and utilization of the agricultural, mineral, forest, water and other natural resources of the commonwealth are public uses, and the general court shall have power to provide for the taking, upon payment of just compensation therefor, of lands and easements or interests therein, including water and mineral rights, for the purpose of securing and promoting the proper conservation, development, utilization and control thereof and to enact legislation necessary or expedient therefor.

Regulation
by law of ad-
vertising on
public ways,
etc.

Art. L. Advertising on public ways, in public places and on private property within public view may be regulated and restricted by law.

Art. LI. The preservation and maintenance of ancient landmarks and other property of historical or antiquarian interest is a public use, and the commonwealth and the cities and towns therein may, upon payment of just compensation, take such property or any interest therein under such regulations as the general court may prescribe.

General court may prescribe for taking ancient landmarks, etc.

Art. LII. The general court, by concurrent vote of the two houses, may take a recess or recesses amounting to not more than thirty days; but no such recess shall extend beyond the sixtieth day from the date of their first assembling.

General court may take a recess.

Art. LIII. Article X of Section I of Chapter II of the constitution, the last two paragraphs of Article IV of the articles of amendment, relating to the appointment of a commissary general and the removal of militia officers, and Article V of the articles of amendment are hereby annulled, and the following is adopted in place thereof: **ARTICLE X.** All military and naval officers shall be selected and appointed and may be removed in such manner as the general court may by law prescribe, but no such officer shall be appointed unless he shall have passed an examination prepared by a competent commission or shall have served one year in either the federal or state militia or in military service. All such officers who are entitled by law to receive commissions shall be commissioned by the governor.

Certain articles of constitution annulled and superseded.

Military and naval officers, how appointed and removed, etc.

Art. LIV. Article VII of Section I of Chapter II of the constitution is hereby annulled and the following is adopted in place thereof: **ARTICLE VII.** The general court shall provide by law for the recruitment, equipment, organization, training and discipline of the military and naval forces. The governor shall be the commander-in-chief thereof, and shall have power to assemble the whole or any part of them for training, instruction or parade, and to employ them for the suppression of rebellion, the repelling of invasion, and the enforcement of the laws. He may, as authorized by the general court, prescribe from time to time the organization of the military and naval forces and make regulations for their government.

Certain article of constitution annulled and superseded.

Military and naval forces, recruitment, etc.

Art. LV. Article VI of Section III of Chapter II of the constitution is hereby annulled and the following is adopted in place thereof: Whenever the offices of governor and lieutenant-governor shall both be vacant, by reason of death, absence from the commonwealth, or otherwise, then one of the following officers, in the order of succession herein

Certain article of constitution annulled and superseded.

Order of succession in office of governor, etc., in case of vacancy.

named, namely, the secretary, attorney-general, treasurer and receiver-general, and auditor, shall, during such vacancy, have full power and authority to do and execute all and every such acts, matters and things as the governor or the lieutenant-governor might or could lawfully do or execute, if they, or either of them, were personally present.

Return by governor to general court of bill or resolve for amendment, etc.

Art. LVI. The governor, within five days after any bill or resolve shall have been laid before him, shall have the right to return it to the branch of the general court in which it originated with a recommendation that any amendment or amendments specified by him be made therein. Such bill or resolve shall thereupon be before the general court and subject to amendment and re-enactment. If such bill or resolve is re-enacted in any form it shall again be laid before the governor for his action, but he shall have no right to return the same a second time with a recommendation to amend.

Amendments, Art. IV, amended.

Women may be appointed notaries public, etc.

Art. LVII. Article IV of the articles of amendment of the constitution of the commonwealth is hereby amended by adding thereto the following words:—Women shall be eligible to appointment as notaries public. Change of name shall render the commission void, but shall not prevent re-appointment under the new name.

Article I, Chapter III of Part the Second, amended.
Judicial officers, retirement of, etc.

Art. LVIII. Article I of Chapter III of Part the Second of the constitution is hereby amended by the addition of the following words:—and provided also that the governor, with the consent of the council, may after due notice and hearing retire them because of advanced age or mental or physical disability. Such retirement shall be subject to any provisions made by law as to pensions or allowances payable to such officers upon their voluntary retirement.

Every charter, etc., subject to revocation, etc.

Art. LIX. Every charter, franchise or act of incorporation shall forever remain subject to revocation and amendment.

Building zones in cities and towns.

Art. LX. The general court shall have power to limit buildings according to their use or construction to specified districts of cities and towns.

Compulsory voting at elections.

Art. LXI. The general court shall have authority to provide for compulsory voting at elections, but the right of secret voting shall be preserved.

Commonwealth's credit not to be given to private enterprises.

Art. LXII. SECTION 1. The credit of the commonwealth shall not in any manner be given or loaned to or in aid of any individual, or of any private association, or of any corporation which is privately owned and managed.

SECTION 2. The commonwealth may borrow money to repel invasion, suppress insurrection, defend the commonwealth, or to assist the United States in case of war, and may also borrow money in anticipation of receipts from taxes or other sources, such loan to be paid out of the revenue of the year in which it is created.

Commonwealth may borrow money for certain purposes.

SECTION 3. In addition to the loans which may be contracted as before provided, the commonwealth may borrow money only by a vote, taken by the yeas and nays, of two-thirds of each house of the general court present and voting thereon. The governor shall recommend to the general court the term for which any loan shall be contracted.

Two-thirds yeas and nays vote of general court required to borrow money.

SECTION 4. Borrowed money shall not be expended for any other purpose than that for which it was borrowed or for the reduction or discharge of the principal of the loan.

Expenditure of borrowed money limited.

Art. LXIII. SECTION 1. *Collection of Revenue.* — All money received on account of the commonwealth from any source whatsoever shall be paid into the treasury thereof.

Collection of revenue.

SECTION 2. *The Budget.* — Within three weeks after the convening of the general court the governor shall recommend to the general court a budget which shall contain a statement of all proposed expenditures of the commonwealth for the fiscal year, including those already authorized by law, and of all taxes, revenues, loans and other means by which such expenditures shall be defrayed. This shall be arranged in such form as the general court may by law prescribe, or, in default thereof, as the governor shall determine. For the purpose of preparing his budget, the governor shall have power to require any board, commission, officer or department to furnish him with any information which he may deem necessary.

The budget, contents, etc.

General court to prescribe form, etc.

Governor may require information.

SECTION 3. *The General Appropriation Bill.* — All appropriations based upon the budget to be paid from taxes or revenues shall be incorporated in a single bill which shall be called the general appropriation bill. The general court may increase, decrease, add or omit items in the budget. The general court may provide for its salaries, mileage, and expenses and for necessary expenditures in anticipation of appropriations, but before final action on the general appropriation bill it shall not enact any other appropriation bill except on recommendation of the governor. The governor may at any time recommend to the general court supplementary budgets which shall be subject to the same procedure as the original budget.

The general appropriation bill.

Supplementary budgets.

Special appropriation bills may be enacted, when.

Governor may disapprove, etc., items or parts of items in any appropriation bill, etc.

Items to have force of law, unless, etc.

Biennial election of state officers, councillors, senators and representatives; terms of office.

Treasurer ineligible for more than three successive terms.

General court to assemble annually.

When first election under this article shall be held, etc.

SECTION 4. *Special Appropriation Bills.*—After final action on the general appropriation bill or on recommendation of the governor, special appropriation bills may be enacted. Such bills shall provide the specific means for defraying the appropriations therein contained.

SECTION 5. *Submission to the Governor.*—The governor may disapprove or reduce items or parts of items in any bill appropriating money. So much of such bill as he approves shall upon his signing the same become law. As to each item disapproved or reduced, he shall transmit to the house in which the bill originated his reason for such disapproval or reduction, and the procedure shall then be the same as in the case of a bill disapproved as a whole. In case he shall fail so to transmit his reasons for such disapproval or reduction within five days after the bill shall have been presented to him, such items shall have the force of law unless the general court by adjournment shall prevent such transmission, in which case they shall not be law.

Art. LXIV. SECTION 1. The governor, lieutenant-governor, councillors, secretary, treasurer and receiver-general, attorney-general, auditor, senators and representatives, shall be elected biennially. The governor, lieutenant-governor and councillors shall hold their respective offices from the first Wednesday in January succeeding their election to and including the first Wednesday in January in the third year following their election and until their successors are chosen and qualified. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election and shall extend to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified. The terms of the secretary, treasurer and receiver-general, attorney-general and auditor, shall begin with the third Wednesday in January succeeding their election and shall extend to the third Wednesday in January in the third year following their election and until their successors are chosen and qualified.

SECTION 2. No person shall be eligible to election to the office of treasurer and receiver-general for more than three successive terms.

SECTION 3. The general court shall assemble every year on the first Wednesday in January.

SECTION 4. The first election to which this article shall apply shall be held on the Tuesday next after the first Mon-

day in November in the year nineteen hundred and twenty, and thereafter elections for the choice of all the officers before-mentioned shall be held biennially on the Tuesday next after the first Monday in November.

Art. LXV. No person elected to the general court shall during the term for which he was elected be appointed to any office created or the emoluments whereof are increased during such term, nor receive additional salary or compensation for service upon any recess committee or commission except a committee appointed to examine a general revision of the statutes of the commonwealth when submitted to the general court for adoption.

Members of the general court not to be appointed to certain offices, nor receive compensation on recess committees, except, etc.

Art. LXVI. On or before January first, nineteen hundred twenty-one, the executive and administrative work of the commonwealth shall be organized in not more than twenty departments, in one of which every executive and administrative office, board and commission, except those officers serving directly under the governor or the council, shall be placed. Such departments shall be under such supervision and regulation as the general court may from time to time prescribe by law.

Organization of not more than twenty departments to perform the executive and administrative work of the commonwealth, except, etc.

Art. LXVII. Article XLVIII of the Amendments to the Constitution is hereby amended by striking out, in that part entitled "II. Emergency Measures", under the heading "The Referendum", the words "A separate vote shall be taken on the preamble by call of the yeas and nays, which shall be recorded, and unless the preamble is adopted by two-thirds of the members of each House voting thereon, the law shall not be an emergency law; but" and substituting the following: — A separate vote, which shall be recorded, shall be taken on the preamble, and unless the preamble is adopted by two-thirds of the members of each House voting thereon, the law shall not be an emergency law. Upon the request of two members of the Senate or of five members of the House of Representatives, the vote on the preamble in such branch shall be taken by call of the yeas and nays. But

Amendments, Art. XLVIII amended.

When yeas and nays vote on preamble shall be taken.

The constitution of Massachusetts was agreed upon by delegates of the people, in convention, begun and held at Cambridge, on the first day of September, 1779, and continued by adjournments to the second day of March, 1780, when the convention adjourned to meet on the first Wednesday of the ensuing June. In the mean

time the constitution was submitted to the people, to be adopted by them, provided two-thirds of the votes given should be in the affirmative. When the convention assembled, it was found that the constitution had been adopted by the requisite number of votes, and the convention accordingly *Resolved*, "That the said Constitution or Frame of Government shall take place on the last Wednesday of October next; and not before, for any purpose, save only for that of making elections, agreeable to this resolution." The first legislature assembled at Boston, on the twenty-fifth day of October, 1780.

The first nine Articles of Amendment were submitted, by delegates in convention assembled, November 15, 1820, to the people, and by them ratified and adopted April 9, 1821.

The tenth Article was adopted by the legislatures of the political years 1829-30 and 1830-31, respectively, and was approved and ratified by the people May 11, 1831.

The eleventh Article was adopted by the legislatures of the political years 1832 and 1833, respectively, and was approved and ratified by the people November 11, 1833.

The twelfth Article was adopted by the legislatures of the political years 1835 and 1836, respectively, and was approved and ratified by the people the fourteenth day of November, 1836.

The thirteenth Article was adopted by the legislatures of the political years 1839 and 1840, respectively, and was approved and ratified by the people the sixth day of April, 1840.

The General Court of the year 1851 passed an Act calling a third Convention to revise the Constitution. The Act was submitted to the people, and a majority voted against the proposed Convention. In 1852, on the 7th of May, another Act was passed calling upon the people to vote upon the question of calling a Constitutional Convention. A majority of the people having voted in favor of the proposed Convention, election for delegates thereto took place in March, 1853. The Convention met in the State House, in Boston, on the 4th day of May, 1853, and organized by choosing Nathaniel P. Banks, Jr., President, and William S. Robinson and James T. Robinson, Secretaries. On the 1st of August, this Con-

vention agreed to a form of Constitution, and on the same day was dissolved, after having provided for submitting the same to the people, and appointed a committee to meet to count the votes, and to make a return thereof to the General Court. The Committee met at the time and place agreed upon, and found that the proposed Constitution had been rejected.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth Articles were adopted by the legislatures of the political years 1854 and 1855, respectively, and ratified by the people the twenty-third day of May, 1855.

The twentieth, twenty-first, and twenty-second Articles were adopted by the legislatures of the political years 1856 and 1857, respectively, and ratified by the people on the first day of May, 1857.

The twenty-third Article was adopted by the legislatures of the political years 1858 and 1859, respectively, and ratified by the people on the ninth day of May, 1859, and was repealed by the twenty-sixth Amendment.

The twenty-fourth and twenty-fifth Articles were adopted by the legislatures of the political years 1859 and 1860, and ratified by the people on the seventh day of May, 1860.

The twenty-sixth Article was adopted by the legislatures of the political years 1862 and 1863, and ratified by the people on the sixth day of April, 1863.

The twenty-seventh Article was adopted by the legislatures of the political years 1876 and 1877, and was approved and ratified by the people on the sixth day of November, 1877.

The twenty-eighth Article was adopted by the legislatures of the political years 1880 and 1881, and was approved and ratified by the people on the eighth day of November, 1881.

The twenty-ninth Article was adopted by the legislatures of the political years 1884 and 1885, and was approved and ratified by the people on the third day of November, 1885.

The thirtieth and thirty-first Articles were adopted by the legislatures of the political years 1889 and 1890, and were approved and ratified by the people on the fourth day of November, 1890.

CONSTITUTION OF THE

The thirty-second and thirty-third Articles were adopted by the legislatures of the political years 1890 and 1891, and were approved and ratified by the people on the third day of November, 1891.

The thirty-fourth Article was adopted by the legislatures of the political years 1891 and 1892, and was approved and ratified by the people on the eighth day of November, 1892.

The thirty-fifth Article was adopted by the legislatures of the political years 1892 and 1893, and was approved and ratified by the people on the seventh day of November, 1893.

The thirty-sixth Article was adopted by the legislatures of the political years 1893 and 1894, and was approved and ratified by the people on the sixth day of November, 1894.

The thirty-seventh Article was adopted by the legislatures of the political years 1906 and 1907, and was approved and ratified by the people on the fifth day of November, 1907.

The thirty-eighth Article was adopted by the legislatures of the political years 1909 and 1910, and was approved and ratified by the people on the seventh day of November, 1911.

The thirty-ninth Article was adopted by the legislatures of the political years 1910 and 1911, and was approved and ratified by the people on the seventh day of November, 1911.

The fortieth and forty-first Articles were adopted by the legislatures of the political years 1911 and 1912, and were approved and ratified by the people on the fifth day of November, 1912.

The forty-second Article was adopted by the legislatures of the political years 1912 and 1913, and was approved and ratified by the people on the fourth day of November, 1913.

The forty-third and forty-fourth Articles were adopted by the legislatures of the political years 1914 and 1915, and were approved and ratified by the people on the second day of November, 1915.

In his inaugural address to the General Court of 1916, Governor McCall recommended that the question of revising the Constitution, through a Constitutional Convention, be submitted to the people;

and the General Court passed a law (chapter 98 of the General Acts of 1916) to ascertain and carry out the will of the people relative thereto, the question to be submitted being "Shall there be a convention to revise, alter or amend the constitution of the Commonwealth?" The people voted on this question at the annual election, held on November 7, casting 217,293 votes in the affirmative and 120,979 votes in the negative; and accordingly the Governor on Dec. 19, 1916, made proclamation to that effect, and, by virtue of authority contained in the act, called upon the people to elect delegates at a special election to be held on the first Tuesday in May, 1917. The election was on May 1. In accordance with the provisions of the act, the delegates met at the State House on June 6, 1917, and organized by choosing John L. Bates, president, and James W. Kimball, secretary. After considering and acting adversely on numerous measures that had been brought before it, and after providing for submitting to the people the forty-fifth, forty-sixth and forty-seventh Articles, at the state election of 1917, and the Article relative to the establishment of the popular initiative and referendum and the legislative initiative of specific amendments of the Constitution (Article forty-eight) at the state election of 1918, the Convention adjourned on November 28 "until called by the President or Secretary to meet not later than within ten days after the prorogation of the General Court of 1918."

The forty-fifth, forty-sixth, and forty-seventh Articles were submitted, by delegates in convention assembled, September 28, 1917, August 30, 1917, and October 11, 1917, respectively, to the people, and by them ratified and adopted November 6, 1917.

On Wednesday, June 12, 1918, the convention reassembled and resumed its work. Eighteen more articles (Articles forty-nine to sixty-six, inclusive) were approved by the convention and were ordered to be submitted to the people. On Wednesday, August 21, 1918, the convention adjourned, "to meet, subject to call by the President or Secretary, not later than within twenty days after the prorogation of the General Court of 1919, for the purpose of taking action on the report of the special committee on Rearrangement of the Constitution."

The forty-eighth Article was submitted, by delegates in convention assembled, November 28, 1917, the forty-ninth Article, August 7, 1918, the fiftieth to the sixtieth Articles, inclusive, August 15, 1918, the sixty-first to the sixty-fourth Articles, inclusive, August 20, 1918, and the sixty-fifth and sixty-sixth Articles, August 21, 1918, to the people, and by them ratified and adopted, November 5, 1918.

On Tuesday, August 12, 1919, pursuant to a call of its President, the Convention again convened. A rearrangement of the Constitution was adopted, and was ordered to be submitted to the people for their ratification. On the following day, a sub-committee of the Special Committee on Rearrangement of the Constitution was "empowered to correct clerical and typographical errors and establish the text of the rearrangement of the Constitution to be submitted to the people, in conformity with that adopted by the Convention."

On Wednesday, August 13, 1919, the Convention adjourned, *sine die*.

On Tuesday, November 4, 1919, the rearrangement was approved and ratified by the people. (As to the effect of this action, see Opinion of the Justices, 233 Mass. 603, and *Loring v. Young*, decided August 8, 1921.)

The sixty-seventh Article was adopted by the legislatures of the political years 1920 and 1921, and was approved by the people on the seventh day of November, 1922.

PROPOSED AMENDMENTS REJECTED BY THE PEOPLE.

[A proposed Article of Amendment prohibiting the manufacture and sale of Intoxicating Liquor as a beverage, adopted by the legislatures of the political years 1888 and 1889, was rejected by the people on the twenty-second day of April, 1889.]

[Proposed Articles of Amendment, (1) Establishing biennial elections of state officers, and (2) Establishing biennial elections of members of the General Court, adopted by the legislatures of the political years 1895 and 1896, were rejected by the people at the annual election held on the third day of November, 1896.]

[A proposed Article of Amendment to make Women eligible to appointment as Notaries Public, adopted by the legislatures of the political years 1912 and 1913, was rejected by the people on the fourth day of November, 1913.]

[A proposed Article of Amendment enabling Women to vote, adopted by the legislatures of the political years 1914 and 1915, was rejected by the people on the second day of November, 1915.]

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ACTS AND RESOLVES

OF

MASSACHUSETTS

1923

☞ The General Court, which was chosen November 7, 1922, assembled on Wednesday, the third day of January, 1923, for its first annual session.

The oaths of office were taken and subscribed by His Excellency CHANNING H. COX and His Honor ALVAN T. FULLER on Thursday, the fourth day of January, in the presence of the two Houses assembled in convention.

ACTS.

AN ACT TO REVIVE THE CORPORATION KNOWN AS THE FALL RIVER GRANITE COMPANY. *Chap. 1*

Whereas, The deferred operation of this act would cause great inconvenience and expense, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The Fall River Granite Company, a corporation dissolved by chapter two hundred and eighty-two of the Special Acts of nineteen hundred and fifteen, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed. Fall River Granite Company revived.

Approved January 31, 1923.

AN ACT AUTHORIZING THE TOWN OF MARBLEHEAD TO MAKE AN ADDITIONAL WATER LOAN. *Chap. 2*

Be it enacted, etc., as follows:

SECTION 1. For the purposes of increasing its water supply, constructing a filtration system for the purification of water, extending its water mains, constructing standpipes, improving its water distribution facilities and of exercising any power or authority relative to the taking, by purchase or otherwise, of land, water rights and easements or any other right or authority conferred by chapter three hundred and twenty-five of the acts of eighteen hundred and eighty-six, and any acts in amendment thereof, the town of Marblehead may from time to time borrow, in addition to any sum or sums heretofore authorized, such sums as may be necessary, not exceeding in the aggregate two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Marblehead Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws. Town of Marblehead may make an additional water loan.

Marblehead Water Loan, Act of 1923.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works Payment of loan, etc.

and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall, without further vote, be assessed by the assessors of said town annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

Authorization
by town.

SECTION 3. Said town may at any annual or special town meeting, or at any adjourned session thereof, by a vote in accordance with the articles of the warrant for said meeting, authorize the borrowing of money under the provisions of this act, and such authorization shall be fully effective, notwithstanding that the warrant for said meeting was served prior to the passage of this act.

SECTION 4. This act shall take effect upon its passage.

Approved January 31, 1923.

Chap. 3 AN ACT AUTHORIZING THE REGISTRATION OF CLARA M. MITCHELL AS A CHIROPODIST.

Be it enacted, etc., as follows:

Board of
registration in
medicine may
register Clara
M. Mitchell as
a chiroprapist.

The board of registration in medicine is hereby authorized to register Clara M. Mitchell of Waltham as a chiroprapist, without examination, upon satisfactory proof that she had been engaged in the practice of chiropody in this commonwealth for a period of two years next prior to the passage of chapter two hundred and two of the General Acts of nineteen hundred and seventeen, and without proof of further compliance with chapter one hundred and twelve of the General Laws; and thereupon she shall have and enjoy the same rights and privileges as if registered as a chiroprapist as provided by said chapter one hundred and twelve.

Approved January 31, 1923.

Chap. 4 AN ACT RELATIVE TO THE ADOPTION BY THE TOWN OF FALMOUTH OF THE TOWN MANAGER FORM OF GOVERNMENT.

Be it enacted, etc., as follows:

Town of
Falmouth, —
will of voters
on adoption of
town manager
form of govern-
ment.

SECTION 1. The town of Falmouth is hereby authorized to ascertain the will of the voters of the town in relation to the adoption of the town manager form of government by placing upon the ballot for use at the election of town officers in the current year the following questions: —

1. Shall the town authorize a petition to the general court for legislation establishing the town manager form of government?

YES.	
NO.	

2. If such legislation is to be sought, which of the two plans submitted by the special committee appointed at the annual town meeting in 1922, and entitled respectively, Plan 1 and Plan 2, shall be submitted to the general court?

PLAN 1	
PLAN 2	

Copy of report
of special com-
mittee to be
mailed voters.

SECTION 2. A copy of the report of said special committee shall be mailed by the town clerk to the registered voters of said town not less than seven days prior to the current annual meeting in said town.

Approved January 31, 1923.

AN ACT RELATIVE TO THE ALLOWANCE OR DISALLOWANCE OF EXCEPTIONS AT A TRIAL IN CASE OF THE RETIREMENT OR REMOVAL OF THE PRESIDING JUSTICE. *Chap. 5*

Be it enacted, etc., as follows:

Chapter two hundred and thirty-one of the General Laws is hereby amended by striking out section one hundred and fifteen and inserting in place thereof the following: — *Section 115.* If a justice presiding at a trial at which exceptions have been taken fails, by reason of physical or mental disability, death, resignation or removal, to sign or return them, or has retired under section sixty-one of chapter thirty-two or has been retired under article fifty-eight of the amendments to the constitution without having signed or returned them, any other justice of the same court may examine and allow or disallow them.

G. L. 231, § 115, amended.

Allowance, etc., of exceptions in case of disability, removal, retirement, etc., of presiding justice.

Approved February 3, 1923.

AN ACT EXTENDING FURTHER THE DURATION OF AN ACT TO PENALIZE THE VIOLATION OF CERTAIN RIGHTS OF TENANTS. *Chap. 6*

Be it enacted, etc., as follows:

Section two of chapter five hundred and fifty-five of the acts of nineteen hundred and twenty, as amended by chapter four hundred and ninety-one of the acts of nineteen hundred and twenty-one and section two of chapter three hundred and fifty-seven of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the second line, the word "July", and inserting in place thereof the word: — May, — and by striking out, in the third line, the word "twenty-three", and inserting in place thereof the word: — twenty-four, — so as to read as follows: — *Section 2.* This act shall become null and void on the first day of May in the year nineteen hundred and twenty-four.

1920, 555, § 2, etc., amended.

Time extended on law penalizing violation of certain tenants' rights.

Approved February 6, 1923.

AN ACT VALIDATING THE ACTS OF THE OFFICERS OF THE WARREN WATER DISTRICT AND CLARIFYING THE PROVISIONS OF LAW RELATIVE TO THEIR TERMS OF OFFICE. *Chap. 7*

Be it enacted, etc., as follows:

SECTION 1. The acts of the officers of the Warren Water District, elected at a meeting held on April twenty-seventh, nineteen hundred and twenty-one, are hereby validated and confirmed, and the terms of office of all officers of said district shall be determined as if the next annual district meeting succeeding the meeting at which such officers were first elected following the acceptance of chapter three hundred and ninety of the acts of nineteen hundred and twenty had been held in the year nineteen hundred and twenty-two as contemplated by said chapter three hundred and ninety.

Warren Water District, acts of officers validated, etc.

SECTION 2. This act shall take effect upon its passage.

Approved February 9, 1923.

Chap. 8 AN ACT TO ENABLE THE RELIANCE CO-OPERATIVE BANK TO ACQUIRE AND HOLD REAL ESTATE IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Reliance Co-operative Bank may acquire, etc., real estate in Cambridge.

SECTION 1. The Reliance Co-operative Bank, incorporated under general law, may purchase or otherwise acquire, and hold, mortgage, and invest in, real estate in the city of Cambridge, to a value not exceeding one hundred thousand dollars at the time of such acquisition or investment.

SECTION 2. This act shall take effect upon its passage.

Approved February 9, 1923.

Chap. 9 AN ACT AUTHORIZING THE TOWN OF SANDWICH TO BORROW MONEY FOR REMODELING, EQUIPPING AND FURNISHING ITS TOWN HALL.

Be it enacted, etc., as follows:

Town of Sandwich may borrow money to remodel, etc., its town hall.

Sandwich Town Hall Loan, Act of 1923.

SECTION 1. For the purpose of remodeling its town hall building and purchasing equipment and furnishings therefor, the town of Sandwich may borrow such sums as may be necessary, not exceeding in the aggregate sixteen thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Sandwich Town Hall Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved February 9, 1923.

Chap. 10 AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO VOTE TO REVOKE ITS ACCEPTANCE OF CERTAIN PROVISIONS OF LAW APPLICABLE TO TENEMENT HOUSES IN TOWNS.

Be it enacted, etc., as follows:

Town of Weymouth may vote to revoke its acceptance of certain provisions of law applicable to tenement houses in towns.

SECTION 1. There shall be submitted at the next annual town election in the town of Weymouth the following question which shall be printed upon the official ballot used for the election of town officers in the following form: "Shall the town of Weymouth revoke its acceptance of chapter six hundred and thirty-five of the acts of nineteen hundred and twelve, being an act relative to tenement houses in towns?" If a majority of the voters voting thereon vote in the affirmative, in answer to said question, then the provisions of chapter one hundred and forty-five of the General Laws shall not apply in said town. Nothing herein contained shall prevent said town from hereafter accepting the provisions of said chapter one hundred and forty-five.

SECTION 2. This act shall take effect upon its passage.

Approved February 9, 1923.

AN ACT EXTENDING FURTHER THE DURATION OF AN ACT RELATIVE TO THE TERMINATION OF TENANCIES AT WILL. *Chap. 11*

Be it enacted, etc., as follows:

Section two of chapter two hundred and fifty-seven of the General Acts of nineteen hundred and nineteen, as amended by chapter five hundred and thirty-eight of the acts of nineteen hundred and twenty, chapter four hundred and eighty-nine of the acts of nineteen hundred and twenty-one and section one of chapter three hundred and fifty-seven of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the second line, the word "July" and inserting in place thereof the word: — May, — and by striking out, in the third line, the word "twenty-three" and inserting in place thereof the word: — twenty-four, — so as to read as follows: — *Section 2.* This act shall take effect upon its passage, but shall become null and void on the first day of May in the year nineteen hundred and twenty-four. *Approved February 9, 1923.*

1919, 257 (G)
§ 2, etc.,
amended.

Time extended
on law termi-
nating tenancies
at will.

AN ACT AUTHORIZING THE GRAND LODGE OF THE INDEPENDENT ORDER OF ODD FELLOWS OF THE STATE OF MASSACHUSETTS TO ACQUIRE, HOLD AND DISPOSE OF REAL AND PERSONAL ESTATE AS A VOLUNTARY ASSOCIATION. *Chap. 12*

Be it enacted, etc., as follows:

The Grand Lodge of the Independent Order of Odd Fellows of the State of Massachusetts may acquire, hold and dispose of real and personal estate in its name as a voluntary association, conformably to general law. *Approved February 9, 1923.*

Grand Lodge
of the Inde-
pendent Order
of Odd Fellows
of the State of
Massachusetts
may acquire,
etc., property
as a voluntary
association.

AN ACT RELATIVE TO THE QUALIFICATIONS OF APPLICANTS FOR REGISTRATION AS QUALIFIED PHYSICIANS. *Chap. 13*

Be it enacted, etc., as follows:

Chapter one hundred and twelve of the General Laws is hereby amended by inserting after section two the following new section: — *Section 2A.* In determining the qualifications necessary for registration as a qualified physician, the board may at its discretion accept the certificate of the National Board of Medical Examiners of the United States, chartered under the laws of the District of Columbia, in place of and as equivalent to its own professional examination; but before registration in pursuance of this section the applicant therefor shall pay a fee of twenty-five dollars.

G. L. 112, new
section after
§ 2.
Qualifications
of applicants
for registration
as qualified
physicians.

Approved February 9, 1923.

AN ACT CHANGING THE NAME OF A CERTAIN PART OF CAMBRIDGE PARKWAY TO MEMORIAL DRIVE. *Chap. 14*

Be it enacted, etc., as follows:

The section of Cambridge parkway extending from the Cambridge end of the West Boston bridge, so-called, to Mt. Auburn

Name of cer-
tain part of
Cambridge

parkway
changed to
Memorial
Drive.

street in the city of Cambridge shall hereafter be known as Memorial Drive, being so named in memory of the men and women of said city who lost their lives in the world war.

Approved February 9, 1923.

Chap. 15 AN ACT REPEALING AN ACT AUTHORIZING THE TAKING OF SMELTS IN THE TOWN OF ROWLEY DURING THE CLOSE SEASON.

Be it enacted, etc., as follows:

Act authorizing
taking of smelts
in town of
Rowley during
close season,
repealed.

Chapter one hundred and fifty-seven of the acts of nineteen hundred and fourteen, being an act to authorize the granting of permits for the taking of smelts in Rowley waters during the close season, is hereby repealed. *Approved February 9, 1923.*

Chap. 16 AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PENSION JAMES McVEY.

Be it enacted, etc., as follows:

City of Cam-
bridge may
pension James
McVey.

SECTION 1. The city of Cambridge may retire, prior to December thirty-first in the current year, James McVey, an employee of its building department, on an annual pension equal to one half the average annual compensation paid him for the three years next preceding January first in the current year.

To be sub-
mitted to city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved February 9, 1923.

Chap. 17 AN ACT RELATIVE TO THE CERTIFICATION OF APPROPRIATION ORDERS BY CITY AND TOWN CLERKS.

Be it enacted, etc., as follows:

G. L. 41, § 15A,
etc., amended.

Section fifteen A of chapter forty-one of the General Laws, inserted by chapter eighty-six of the acts of nineteen hundred and twenty-two, is hereby amended by inserting after the word "to", in the fourth line, the words:— the assessors and, — so as to read as follows:— *Section 15A.* City and town clerks shall, as soon as an order or vote appropriating money becomes effective, certify, in a city to the treasurer, assessors and auditor or similar officer, and in a town to the assessors and the town accountant, if any, otherwise to the treasurer, each appropriation in detail, and the provision made for meeting the same, if specified in the appropriation order or vote.

Certification of
appropriation
orders by city
and town clerks.

Approved February 9, 1923.

Chap. 18 AN ACT REQUIRING LOCAL ASSESSORS TO FURNISH COPIES OF ABATEMENTS TO TAX COLLECTORS.

Be it enacted, etc., as follows:

G. L. 59, § 60,
amended.

Section sixty of chapter fifty-nine of the General Laws is hereby amended by adding at the end thereof the following new

paragraph:—The assessors shall forthwith upon making an abatement furnish the tax collector with a copy thereof,—so as to read as follows:—*Section 60.* Every board of assessors shall keep a record of all abatements of taxes. The record of abatement of the whole or any part of any tax shall show plainly the following details, viz.:

Records of abatements of local taxes.

First, The name or title in which the tax stands assessed.

Second, The year in which the tax was assessed.

Third, The total amount of the tax.

Fourth, The date when the abatement was made.

Fifth, The sum abated on poll tax.

Sixth, The sum abated on personal estate.

Seventh, The sum abated on real estate.

Eighth, The total sum abated.

Ninth, In case of an abatement to put into effect a statutory exemption, exact reference to the statutory provision under which the exemption is granted and in all other cases a statement of the cause or reason for the abatement.

If the record of an abatement is made as a part of the record of a meeting of the board of assessors it shall be signed by the clerk or secretary of the board for that meeting; otherwise by a majority of the board.

By whom signed.

The assessors shall forthwith upon making an abatement furnish the tax collector with a copy thereof.

Copy of abatement to tax collector.

Approved February 9, 1923.

AN ACT INCORPORATING THE GENERAL SOCIETY OF MAYFLOWER DESCENDANTS.

Chap. 19

Be it enacted, etc., as follows:

SECTION 1. Leonard Wood, William H. Taft, Henry Cabot Lodge, Richard Henry Greene, Asa P. French, Myles Standish, Marcus Morton, Robert M. Boyd, Jr., William Bradford H. Dowse, Howland Davis, George Ernest Bowman, Addison P. Munroe, Paul Revere Frothingham, Charles Allerton Coolidge and John Packwood Tilden, and their associates and successors, are hereby made a corporation by the name of General Society of Mayflower Descendants.

General Society of Mayflower Descendants, incorporated.

SECTION 2. The purposes of the corporation shall be to perpetuate to a remote posterity the memory of the Pilgrim Fathers; to maintain and defend the principles of civil and religious liberty as set forth in the Compact of the Mayflower, "for ye glorie of God, and advancemente of ye christian faith and honour of our . . . countrie"; to promote the interests that are common to all the state societies of Mayflower descendants which can best be served by a federal body; to secure united effort to discover and publish original matter in regard to the Pilgrims, together with existing data known only to antiquarians; and to authenticate, preserve and mark historical spots made memorable by Pilgrim association.

Purposes.

SECTION 3. The corporation shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities set forth in all general laws now or hereafter in force,

Powers, duties, restrictions, etc.

applicable to such corporation and not inconsistent with this act.

By-laws.

SECTION 4. The corporation shall have power to establish by-laws suitable to carry out the powers hereby granted, including provisions as to the admission, suspension and expulsion of members, and the delegation of powers to officers, committees and persons having the general powers of directors.

Board of general assistants, election, powers, etc.

SECTION 5. The management and control of the property and the affairs of said corporation subject to its by-laws shall be vested in a board of general assistants who shall be elected in the manner provided in the by-laws to be adopted by the corporation; and there shall be such other officers with such duties as the by-laws may prescribe.

Other officers.

May hold real and personal estate, etc.

SECTION 6. The corporation is hereby authorized to hold real and personal estate to an amount not exceeding one hundred thousand dollars, with authority to sell, purchase, mortgage, lease or rent the same, or any part thereof.

Approved February 9, 1923.

Chap. 20 AN ACT AUTHORIZING THE CITY OF WOBURN TO PAY A CERTAIN SUM OF MONEY TO ROBERT T. SPENCER.

Be it enacted, etc., as follows:

City of Woburn may pay certain sum of money to Robert T. Spencer.

SECTION 1. The city of Woburn may pay to Robert T. Spencer, who, after a service of more than thirty years as an employee in its water department, was retired on March first, nineteen hundred and twenty-one on account of disability, a sum equal to one half the compensation which he would have received if he had continued in said employment, at the same rate of compensation paid him at the time of his retirement, for the period from said March first, to April eighth, nineteen hundred and twenty-two when chapter one hundred and thirty-nine of the acts of nineteen hundred and twenty-two was accepted by said city.

To be submitted to city council, etc. Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved February 9, 1923.

Chap. 21 AN ACT RELATIVE TO THE RIGHT OF CO-OPERATIVE BANKS TO HOLD REAL ESTATE FOR THE TRANSACTION OF BUSINESS.

Be it enacted, etc., as follows:

G. L. 170, § 31, etc., amended.

Section thirty-one of chapter one hundred and seventy of the General Laws, as amended by chapter one hundred and fifty-eight of the acts of nineteen hundred and twenty-one and chapter two hundred and twelve of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the sixth line, the words "two per cent of its dues capital" and inserting in place thereof the words:— five per cent of its dues

capital or one hundred thousand dollars, — so as to read as follows: — *Section 31.* Any such corporation may, with the approval of the commissioner, invest a sum not exceeding its surplus and guaranty fund accounts in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of its business, but in no case exceeding five per cent of its dues capital or one hundred thousand dollars. Any such corporation may, with the approval of the commissioner, expend a sum not exceeding one per cent of its dues capital for alterations in any building leased by it for the transaction of its business, but in no case exceeding its surplus and guaranty fund accounts. *Approved February 9, 1923.*

Co-operative banks may hold real estate as place of business.

May alter building leased as place of business.

AN ACT PLACING UNDER THE CIVIL SERVICE LAWS THE OFFICE OF CHIEF ENGINEER OF THE FIRE DEPARTMENT OF THE TOWN OF SAUGUS.

Chap. 22

Be it enacted, etc., as follows:

SECTION 1. The office of chief engineer of the fire department of the town of Saugus shall hereafter be subject to the civil service laws and the rules and regulations made thereunder.

Saugus fire department, office of chief engineer placed under civil service laws.

SECTION 2. This act shall be submitted to the voters of said town for their acceptance at the next annual town election in the form of the following question to be placed upon the official ballot used for the election of town officers: — “Shall an act passed by the general court in the year nineteen hundred and twenty-three entitled, ‘An Act placing under the civil service laws the office of chief engineer of the fire department of the town of Saugus’ be accepted?” If a majority of the voters voting thereon vote in the affirmative in answer to said question, then this act shall take full effect, but not otherwise.

To be submitted to voters, etc.

SECTION 3. So much of this act as authorizes its submission to the voters of said town for their acceptance shall take effect upon its passage. *Approved February 19, 1923.*

Time of taking effect.

AN ACT AUTHORIZING THE TOWN OF RUSSELL TO BORROW MONEY FOR BRIDGE PURPOSES.

Chap. 23

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing a bridge across the Westfield river at Woronoco, the town of Russell may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Russell Bridge Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town of Russell may borrow money for bridge purposes.

Russell Bridge Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved February 19, 1923.

Chap. 24 AN ACT TO ENABLE THE CAMBRIDGE SAVINGS BANK TO PURCHASE AND HOLD ADDITIONAL REAL ESTATE IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Cambridge Savings Bank may purchase and hold additional real estate, etc.

SECTION 1. The Cambridge Savings Bank, incorporated under the name of "The Savings Institution in the town of Cambridge" by chapter one hundred and ninety-one of the acts of eighteen hundred and thirty-four, approved April second in said year, may, subject to the approval of the commissioner of banks, invest in the erection and preparation of a suitable building to be used in whole or in part for the convenient transaction of its business on land in the city of Cambridge, now owned by said bank, a sum not exceeding three hundred thousand dollars in addition to any sums already invested in said land and the buildings thereon.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1923.

Chap. 25 AN ACT AUTHORIZING THE WORKINGMEN'S CO-OPERATIVE BANK TO PURCHASE AND HOLD REAL ESTATE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1920, 105, § 1, amended.

Workingmen's Co-operative Bank may purchase and hold real estate in Boston.

SECTION 1. Section one of chapter one hundred and five of the acts of nineteen hundred and twenty is hereby amended by inserting after the word "hundred" in the fourth line the words: —and fifty,—so as to read as follows:—*Section 1.* The Workingmen's Co-operative Bank, incorporated under the general laws, may purchase or otherwise acquire, and hold, mortgage, and invest in, real estate in the city of Boston to a value not exceeding five hundred and fifty thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1923.

Chap. 26 AN ACT CHANGING THE NAME OF THE OVERSEERS OF THE POOR IN CERTAIN CITIES AND TOWNS TO THE BOARD OF PUBLIC WELFARE.

Emergency preamble.

Whereas, It is desirable that this act take effect forthwith, in order that it may be acted upon at the current town meetings, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 41, new section after § 34.
Change of name of overseers of poor to board of public welfare in certain cities and towns.

Chapter forty-one of the General Laws is hereby amended by inserting after section thirty-four the following new section:—*Section 34A.* In any city or town accepting this section, in a city by vote of the city council or in a town by vote of the voters thereof, the overseers of the poor shall thereafter be known as the board of public welfare; but said change of name shall in

no respect affect the rights, powers, duties or tenure of office of said overseers. This section shall not apply to a city or town in which the overseers of the poor are incorporated.

Approved February 20, 1923.

AN ACT EXEMPTING A CERTAIN PARCEL OF LAND OF THE MASSACHUSETTS GENERAL HOSPITAL IN THE CITY OF BOSTON FROM RESTRICTIONS AS TO THE HEIGHT OF BUILDINGS.

Chap. 27

Be it enacted, etc., as follows:

SECTION 1. The parcel of land of the Massachusetts General Hospital, situated in the city of Boston and bounded by Charles street, Allen street, a line three hundred and fifty feet easterly from the easterly side line of and parallel to said Charles street, Fruit street and land of the Massachusetts Charitable Eye and Ear Infirmary, is hereby exempted from the provisions of chapter three hundred and thirty-three of the acts of nineteen hundred and four, chapter three hundred and eighty-three of the acts of nineteen hundred and five and chapter three hundred and thirty-three of the Special Acts of nineteen hundred and fifteen relative to the height of buildings, and is relieved from the restrictions as to height placed thereon by the commission on height of buildings in the city of Boston acting under authority of said statutes; provided, however, that nothing herein shall authorize the erection on said parcel of a building exceeding one hundred and twenty-five feet in height, nor the erection of any building thereon except in accordance with a permit duly granted therefor by the building commissioner of the city of Boston, nor shall this act operate to change existing restrictions as to the height of buildings on said parcel unless such buildings shall be erected for hospital purposes.

Exemption of certain parcel of land of Massachusetts General Hospital in Boston from restrictions as to height of buildings.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1923.

AN ACT RELATIVE TO THE NAMES REGISTERED BY CERTAIN FOREIGN CORPORATIONS.

Chap. 28

Be it enacted, etc., as follows:

Section six of chapter one hundred and eighty-one of the General Laws is hereby amended by adding at the end thereof the words: —, or which has the same name as that of another corporation established under the laws of the commonwealth or of another corporation or of a firm, association or person carrying on business in the commonwealth, or a name so similar thereto as to be likely to be mistaken for it, unless such other corporation or such firm, association or person shall have previously filed with the commissioner, the commissioner of insurance or such other officer written consent to the use of such name., — so as to read as follows:— *Section 6.* The commissioner, the commissioner of insurance and any other officer of this commonwealth whose duty it is to examine and determine whether a

G. L. 181, § 6, amended.

Commissioner, etc., shall refuse to receive papers for filing

from a foreign corporation doing an illegal business or having same name as that of another corporation, etc.

foreign corporation, including an insurance company, is entitled to file any papers under section three or five, section forty-one of chapter one hundred and seventy-six, or chapter one hundred and seventy-five or one hundred and seventy-seven, shall refuse to accept or file the charter, financial statement or other papers of, or accept appointment as attorney for service for, any such corporation which does a business in this commonwealth the transaction of which by domestic corporations is not then permitted by the laws of this commonwealth, or which has the same name as that of another corporation established under the laws of the commonwealth or of another corporation or of a firm, association or person carrying on business in the commonwealth, or a name so similar thereto as to be likely to be mistaken for it, unless such other corporation or such firm, association or person shall have previously filed with the commissioner, the commissioner of insurance or such other officer written consent to the use of such name.

Approved February 20, 1923.

Chap. 29

AN ACT REVIVING THE DUQUESNE TRADING COMPANY.

Be it enacted, etc., as follows:

Duquesne Trading Company revived.

The Duquesne Trading Company, a corporation dissolved by chapter two hundred and twelve of the acts of nineteen hundred and twenty, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed.

Approved February 20, 1923.

Chap. 30

AN ACT RELATIVE TO LICENSES FOR THE SALE OF SECOND HAND MOTOR VEHICLES.

Be it enacted, etc., as follows:

G. L. 140, § 58, amended.

Classes of licenses for sale of second hand motor vehicles.

Agent's or seller's license.

Chapter one hundred and forty of the General Laws is hereby amended by striking out section fifty-eight and inserting in place thereof the following: — *Section 58.* Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the sale of second hand motor vehicles being incidental thereto, may be granted an agent's or a seller's license.

Used car dealer's license.

Class 2. Any person whose principal business is the buying and selling of second hand motor vehicles may be granted a used car dealer's license.

Motor vehicle junk license.

Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts may be granted a motor vehicle junk license.

Approved February 20, 1923.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, BOSTON, March 21, 1923.

I, Channing H. Cox, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures," do declare that in my opinion the immediate preservation of the public peace, health, safety and convenience requires that the law passed on the twentieth day of February, in the year nineteen hundred and twenty-three, entitled "An Act Relative to Licenses for the Sale of Second Hand Motor Vehicles", should take effect forthwith, that it is an emergency law, and that the facts constituting the emergency are as follows: — because its delayed operation may result in serious inconvenience to the public.

Act declared
an emergency
law by the
governor.

CHANNING H. COX.

THE COMMONWEALTH OF MASSACHUSETTS,
OFFICE OF THE SECRETARY, BOSTON, March 21, 1923.

I hereby certify that the above statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and twenty minutes, P.M. on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter thirty, acts of nineteen hundred and twenty-three.

State secretary's
certificate as to
filing of the
governor's
declaration, etc.

F. W. COOK,
Secretary of the Commonwealth.

AN ACT RELATIVE TO THE ASSESSMENT OF POLL TAXES AND
THE MAKING OF CERTAIN LISTS IN THE CITY OF LYNN.

Chap. 31

Be it enacted, etc., as follows:

SECTION 1. In the making of lists under sections four to fourteen, inclusive, of chapter fifty-one of the General Laws, the board of assessors of Lynn may, with the approval of the mayor, have the assistance of the police department in visiting buildings and residences and performing the duties of assistant assessors in securing the information required by said sections.

Assessment of
poll taxes and
making of cer-
tain lists in
city of Lynn.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, but for the purposes of such acceptance shall take effect upon its passage.

To be sub-
mitted to city
council, etc.

Approved February 20, 1923.

AN ACT RELATIVE TO THE ANNUAL TESTING OF CERTAIN
WEIGHING AND MEASURING DEVICES.

Chap. 32

Be it enacted, etc., as follows:

SECTION 1. Section forty-one of chapter ninety-eight of the General Laws is hereby amended by striking out, in the sixth line, the words "within thirty days", — so as to read as fol-

G. L. 98, § 41,
amended.

Weighing and measuring devices, notice of annual testing, etc.

lows: — *Section 41.* Sealers shall annually give public notice, by advertisement or by posting notices in one or more public places in their towns or districts, to all inhabitants, or persons having usual places of business therein, using weighing or measuring devices for the purpose of buying or selling goods, wares or merchandise, for public weighing or for hire or reward, to bring them in to be tested, adjusted and sealed. Such sealers shall attend in one or more convenient places, and shall adjust, seal or condemn such devices in accordance with the results of their tests, and shall make a record thereof.

G. L. 98, § 42, amended.

SECTION 2. Section forty-two of said chapter ninety-eight is hereby amended by striking out, in the first line, the words "the expiration of the time fixed in" and inserting in place thereof the word: — giving, — so as to read as follows: — *Section 42.* After giving said notice, said sealers shall go to the houses, stores, shops and vehicles of persons not complying therewith, and shall test and adjust, seal or condemn in accordance with the results of their tests, the weighing or measuring devices of such persons; provided, that devices for determining the measurement of leather bought, sold or offered for sale shall be tested at least semi-annually. A person who neglects or refuses to exhibit his weighing or measuring devices to a sealer or deputy, or who hinders, obstructs or in any way interferes with a sealer or deputy in the performance of duty, shall be punished by a fine of not more than fifty dollars.

Weighing and measuring devices, testing, etc., at houses, stores, etc.

Approved February 20, 1923.

Chap. 33 AN ACT FIXING THE TIME FOR SERVICE OF CERTAIN NOTICES IN POOR DEBTOR PROCEEDINGS.

Be it enacted, etc., as follows:

G. L. 224, § 8, amended.

Section eight of chapter two hundred and twenty-four of the General Laws is hereby amended by striking out all after the word "thereof" in the tenth line and inserting in place thereof the following: — , not less than four days, exclusive of Sundays and holidays, before the day set for the examination, — so as to read as follows: — *Section 8.* A court to which application is made for a certificate, under section six, shall, unless the creditor or a person in his behalf makes affidavit and proves to the court that there is reason to believe that the debtor intends to leave the commonwealth, issue notice to the debtor to appear before the court for examination upon any or all of the charges specified in said section. Such notice shall specify the charges on which the creditor intends to examine the debtor, and may be served, by an officer qualified to serve civil process, by delivering to the debtor, or leaving at his last and usual place of abode, an attested copy thereof, not less than four days, exclusive of Sundays and holidays, before the day set for the examination.

Issue and service of notice on application for arrest in poor debtor proceedings.

Approved February 20, 1923.

AN ACT RELATIVE TO SERVICE OF PROCESS IN PROCEEDINGS *Chap. 34*
AGAINST FEMALE JUDGMENT DEBTORS.

Be it enacted, etc., as follows:

Section fifty-nine of chapter two hundred and twenty-four of the General Laws is hereby amended by striking out, in the thirteenth line, the word "three" and inserting in place thereof the word: — four, — and also by striking out, in the fourteenth line, the words "and at the rate of one hour additional for each mile of travel", — so as to read as follows: — *Section 59.* The judgment creditor in an execution issued against a woman upon which there remains uncollected at least twenty dollars, exclusive of costs which have accrued either in the last action or in any former action founded on the same original cause of action, or a person in behalf of such creditor, may file, in a district court in the county where the debtor resides or has her usual place of business, a petition on oath, with a copy of the execution, stating the fact of the last judgment and alleging that he believes that the debtor has property, not exempt from attachment, which she refuses to apply in payment of said execution, and asking that a citation issue requiring her to appear at a time and place to be fixed by the court and submit to an examination relative to her property; and thereupon the clerk of said court shall issue such citation, allowing the debtor not less than four days before the time so fixed. Such citation shall be served, by an officer qualified to serve the execution, by delivering to the debtor, or leaving at her last and usual place of abode, an attested copy of the citation.

G. L. 224, § 59,
amended.

Citation and
service in pro-
ceedings against
female judg-
ment debtors.

Approved February 20, 1923.

AN ACT PROHIBITING DURING CERTAIN MONTHS OF THE YEAR *Chap. 35*
THE USE BY CERTAIN PERSONS OF BEAM OR OTTER TRAWLS
IN TAKING FISH FROM CERTAIN WATERS OF THE TOWNS OF
CHILMARK, GAY HEAD AND GOSNOLD.

Be it enacted, etc., as follows:

It shall be unlawful during the months of July, August and September for any person who has not been a legal resident of this commonwealth during the preceding year to use beam or otter trawls to drag for fish in that part of the waters of Vineyard Sound lying in the towns of Chilmark, Gay Head and Gosnold, and included between an imaginary line running from the extreme western point of Gay Head to the extreme western point of Nashawena island and another imaginary line running from Cape Higgon to Tarpaulin Cove Light. Violation of this act shall be punished by a fine of not less than ten nor more than one hundred dollars.

Use of beam or
otter trawls in
taking fish
from certain
waters of towns
of Chilmark,
Gay Head and
Gosnold,
regulated.

Approved February 20, 1923.

Chap. 36 AN ACT EXTENDING FURTHER THE DURATION OF AN ACT TO PROVIDE FOR A DISCRETIONARY STAY OF PROCEEDINGS IN CERTAIN ACTIONS OF SUMMARY PROCESS AND TEMPORARILY ABOLISHING FICTITIOUS COSTS IN SAID ACTIONS.

Be it enacted, etc., as follows:

1920, 577, new section after § 4.

Fictitious costs in certain actions of summary process temporarily abolished.

1920, 577, § 6, etc., amended.

SECTION 1. Chapter five hundred and seventy-seven of the acts of nineteen hundred and twenty, as amended, is hereby further amended by inserting after section four the following new section:— *Section 4A.* Costs recoverable under section three of chapter two hundred and thirty-nine of the General Laws shall, in actions to which this act applies, include only legal costs covering actual disbursements and shall not include fictitious costs, so-called.

SECTION 2. Section six of said chapter five hundred and seventy-seven, as amended by chapter four hundred and ninety of the acts of nineteen hundred and twenty-one and section three of chapter three hundred and fifty-seven of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the second line, the word “July” and inserting in place thereof the word:— May, — and by striking out, in the third line, the word “twenty-three” and inserting in place thereof the word:— twenty-four, — so as to read as follows:— *Section 6.* This act shall become null and void on the first day of May in the year nineteen hundred and twenty-four.

Approved February 20, 1923.

Time extended on law providing for stay of proceedings in certain summary process actions.

Chap. 37 AN ACT PERMITTING SAVINGS BANKS TO TRANSMIT MONEY TO ANOTHER STATE OR COUNTRY.

Be it enacted, etc., as follows:

G. L. 168, new section after § 33.

Savings banks may transmit money to another state or country.

Chapter one hundred and sixty-eight of the General Laws is hereby amended by inserting after section thirty-three the following new section:— *Section 33A.* Savings banks may, under regulations made by the commissioner, receive money for the purpose of transmitting the same, or equivalents thereof, to another state or country.

Approved February 20, 1923.

Chap. 38 AN ACT REGULATING THE TRANSACTION OF BUSINESS UNDER AN INACTIVE CHARTER OF A CREDIT UNION.

Be it enacted, etc., as follows:

G. L. 171, § 2, etc., amended.

Section two of chapter one hundred and seventy-one of the General Laws, as amended by section one of chapter one hundred and forty-seven of the acts of nineteen hundred and twenty-two, is hereby further amended by adding at the end thereof the following:— ; and no credit union shall resume business under a charter which is outstanding and inactive on July first, nineteen hundred and twenty-three, except with the written approval of the board of bank incorporation, — so as to read as follows:— *Section 2.* Seven or more persons, resident in the commonwealth, who have associated themselves by a written

Credit unions, incorporation, etc.

agreement with the intention of forming a corporation for the purpose of accumulating and investing the savings of its members and making loans to members for provident purposes, may, with the consent of the board of bank incorporation, become a corporation upon complying with the following section. The board of bank incorporation may grant such consent when satisfied that the proposed field of operation is favorable to the success of such corporation, and that the standing of the proposed incorporators is such as to give assurance that its affairs will be administered in accordance with the spirit of this chapter. A credit union shall organize and commence business within six months from the date of its incorporation, otherwise its charter shall become void; and no credit union shall resume business under a charter which is outstanding and inactive on July first, nineteen hundred and twenty-three, except with the written approval of the board of bank incorporation.

Consent of board of bank incorporation.

To organize, etc., within six months, etc.

Transaction of business under inactive charter regulated.

Approved February 20, 1923.

AN ACT RELATIVE TO THE CAPITAL OF STOCK INSURANCE COMPANIES.

Chap. 39

Be it enacted, etc., as follows:

SECTION 1. Section forty-eight of chapter one hundred and seventy-five of the General Laws, as amended by section two of chapter two hundred and fifteen and section four of chapter two hundred and seventy-seven of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the paragraph included in the sixteenth line and inserting in place thereof the following new paragraph: — Under the second clause, and under the first and second clauses excepting ocean marine insurance, three hundred thousand dollars, — and by striking out the two new paragraphs inserted by section two of said chapter two hundred and fifteen and section four of said chapter two hundred and seventy-seven and inserting in place thereof the following new paragraph: — Under the fourteenth or fifteenth clause, not less than five hundred thousand dollars, — so as to read as follows: — *Section 48.* Ten or more persons residents of this commonwealth may form a company (a) to transact the business set forth in any one of the clauses of the preceding section, (b) to transact the business set forth in the first and second clauses thereof, or (c) to transact the business set forth in any two or more of the fourth, fifth, sixth, seventh, eighth, ninth, tenth, twelfth and thirteenth clauses thereof.

G. L. 175, § 48, etc., amended.

Capital of stock insurance companies.

Companies organized under this section shall have a paid-up capital as follows:

Under the sixth clause, to insure only against sickness and against the bodily injury or death by accident of the insured; and under the seventh and thirteenth clauses, not less than one hundred thousand dollars. \$100,000.

Under the first, fourth, fifth, sixth, except as otherwise provided herein, eighth, ninth, tenth and twelfth clauses, not less than two hundred thousand dollars. \$200,000.

\$300,000. Under the second clause, and under the first and second clauses excepting ocean marine insurance, three hundred thousand dollars.

\$400,000. Under the first and second clauses, not less than four hundred thousand dollars.

Not over \$1,000,000, except, etc. Under the eleventh clause, not exceeding one million dollars; and if insurance against the insufficiency of mortgages as security or against any other loss in connection with mortgages, except insurance of titles is transacted, not less than two hundred thousand dollars.

\$500,000. Under the fourteenth or fifteenth clause, not less than five hundred thousand dollars.

Amount in certain cases. Under two or more of the clauses enumerated herein under (c), the paid-up capital shall not be less than the largest amount required for the transaction of the kinds of business specified in any one clause which it is authorized to transact, and an additional amount equal to one half of the minimum capital required above for the transaction of the kinds of business specified in each additional clause which it is authorized to transact.

G. L. 175, § 51, amended. SECTION 2. Section fifty-one of said chapter one hundred and seventy-five is hereby amended by adding after the word "dollars" in the sixth line the following:—, or the first and second excepting ocean marine insurance, if authorized to transact either, provided it has a paid-up capital of not less than three hundred thousand dollars,—so that clause (a) will read as follows:—(a) The first and second, if authorized to transact either, provided it has a paid-up capital of not less than four hundred thousand dollars, or the first and second excepting ocean marine insurance, if authorized to transact either, provided it has a paid-up capital of not less than three hundred thousand dollars.

G. L. 175, § 13, repealed. SECTION 3. Section thirteen of said chapter one hundred and seventy-five is hereby repealed.

Approved February 20, 1923.

Chap. 40 AN ACT LIMITING THE RESTRICTION ON JOINT ACCOUNTS IN BANKS TO THOSE IN SAVINGS BANKS.

Be it enacted, etc., as follows:

G. L. 168, new section after § 31.

Joint accounts in savings banks, limitation, interest, etc.

SECTION 1. Chapter one hundred and sixty-eight of the General Laws is hereby amended by inserting after section thirty-one the following new section:— *Section 31A.* Such corporation may receive deposits on joint accounts provided for in section fourteen of chapter one hundred and sixty-seven to the amount of four thousand dollars, and may allow interest upon such deposits and upon the interest accumulated thereon until the principal with the accrued interest amounts to eight thousand dollars, and thereafter upon no greater amount than eight thousand dollars. Persons having such joint accounts may also make deposits in their individual names, but the total amount of such deposits, both joint and individual, shall not exceed four thousand dollars, and such corporation may allow interest upon such deposits and upon the interest accumulated

thereon until the principal with the accrued interest on all said accounts amounts to eight thousand dollars, and thereafter upon no greater amount than eight thousand dollars.

SECTION 2. Section fifteen of chapter one hundred and sixty-seven of the General Laws, as amended by chapter one hundred and fifty-three of the acts of nineteen hundred and twenty-one, is hereby repealed.

G. L. 167, § 15,
etc., repealed.

Approved February 20, 1923.

AN ACT RELATIVE TO THE USE OF THE WORDS "TRUST COMPANY" BY CERTAIN FOREIGN CORPORATIONS.

Chap. 41

Be it enacted, etc., as follows:

Section four of chapter one hundred and seventy-two of the General Laws is hereby amended by striking out the last sentence and inserting in place thereof the following: — But this section shall not prohibit a foreign corporation which was authorized to transact a foreign mortgage business in the commonwealth during the twelve months next preceding January first, nineteen hundred and twenty-three, and which had an established place of business in, and was complying with the laws of, the commonwealth during the whole of said period, from continuing to use the words "Trust Company" as a part of its corporate name, — so as to read as follows: — *Section 4.* No person or association and no bank or corporation, except trust companies, shall use in the name or title under which his or its business is transacted the words "Trust Company" even though said words may be separated in such name or title by one or more other words, or advertise or put forth a sign as a trust company or in any way solicit or receive deposits as such. Whoever violates this section shall forfeit one hundred dollars for each day during which such violation continues. But this section shall not prohibit a foreign corporation which was authorized to transact a foreign mortgage business in the commonwealth during the twelve months next preceding January first, nineteen hundred and twenty-three, and which had an established place of business in, and was complying with the laws of, the commonwealth during the whole of said period, from continuing to use the words "Trust Company" as a part of its corporate name. *Approved February 20, 1923.*

G. L. 172, § 4,
amended.

Use of words
"Trust
Company"
as name,
regulated.

Exception as to
certain foreign
corporations.

AN ACT AUTHORIZING THE ACUSHNET FIRE AND WATER DISTRICT TO MAKE AN ADDITIONAL WATER LOAN.

Chap. 42

Be it enacted, etc., as follows:

SECTION 1. For the purpose of extending its water mains and improving its water distribution facilities, the Acushnet Fire and Water District may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, sixty-five thousand dollars, in addition to any sums heretofore authorized for water purposes, and may issue bonds or notes therefor, which shall bear on their face the words, Acushnet Fire and Water District Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates.

Acushnet Fire
and Water
District may
make an additional water
loan.

Payment of
loan, etc.

Any indebtedness incurred under this act shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. The district shall, at the time of authorizing said loan or loans provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required by this act, shall, without further vote, be certified to the assessors of the town of Acushnet and shall annually thereafter be assessed, collected, and paid over to the district treasurer, in the same manner as is provided by law in the case of fire district taxes, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved February 21, 1923.

Chap. 43 AN ACT PLACING ROBERT M. WILEY OF FALL RIVER UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

Robert M.
Wiley of Fall
River placed
under civil
service laws.

Robert M. Wiley, who has served as clerk in the department of the city clerk of Fall River since May, nineteen hundred and seven, shall be entitled, without examination, to the benefits and protection of the provisions of chapter thirty-one of the General Laws, and the rules and regulations made thereunder.

Approved February 21, 1923.

Chap. 44 AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO PENSION FRANK A. C. GREEN.

Be it enacted, etc., as follows:

City of New
Bedford may
pension Frank
A. C. Green.

SECTION 1. The city of New Bedford may retire Frank A. C. Green, for thirty-three years a member of its fire department and at present a captain in said department, on an annual pension equal to one half his present annual compensation.

To be sub-
mitted to city
council, etc.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Proviso.

Approved February 21, 1923.

Chap. 45 AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO PENSION FRANK R. PEASE.

Be it enacted, etc., as follows:

City of New
Bedford may
pension Frank
R. Pease.

SECTION 1. The city of New Bedford may retire Frank R. Pease, for thirty years a member of its fire department and at present an assistant engineer in said department, on an annual pension equal to one half his present annual compensation.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved February 21, 1923.

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PENSION
LOUIS J. ANSHELM.

Chap. 46

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge may pay to Louis J. Anshelm, a former member of its fire department, an annual pension equal to one half the rate of compensation now paid to a member of said department of the lowest grade.

City of Cambridge may pension Louis J. Anshelm.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved February 21, 1923.

AN ACT AUTHORIZING THE SUSPENSION OF THE SALE OF CERTAIN
SECURITIES IN CERTAIN CASES.

Chap. 47

Be it enacted, etc., as follows:

Section five of chapter one hundred and ten A of the General Laws, inserted by section one of chapter four hundred and ninety-nine of the acts of nineteen hundred and twenty-one, is hereby amended by adding after the word "section" in the twenty-second line the following:—and subject to the right of the commission in its discretion to forbid its sale until the information required by this and the following section is filed with it,—so as to read as follows:—*Section 5.* No security not exempted under section three and to which the preceding section does not apply shall be sold unless and until there shall have been filed with the commission by a person offering the same for sale or by the directors or trustees of the corporation, association, trust, or other body issuing the security, or by other officers holding a corresponding relation thereto, or by officers duly authorized by such directors or trustees to take such action, a notice of intention to offer for sale the security named and specified in the notice; but within seven days, or such further period as in any special case the commission may authorize, after filing said notice, the person or officers, or some one in their behalf, shall file with the commission a statement containing the information and data relative to the security offered and the issuing corporation, association or trust, specified in subdivisions (a), (b), (c), and (d) of section four, and in addition thereto a statement of the purposes to which the proceeds of the proposed issue are to be applied. Upon and after the filing of such notice the said security may be sold and offered for sale by any broker or salesman registered under the provisions of this chapter, subject, however, to the provisions of the following section and subject

G. L. 110A.
§ 5, etc.,
amended.

Sale of certain securities, notice of intention to be filed with commission, etc.

Statement with data to be filed, etc.

Commission
may forbid
sale, etc.

to the right of the commission in its discretion to forbid its sale until the information required by this and the following section is filed with it.

Approved February 21, 1923.

Chap. 48 AN ACT RELATIVE TO THE REGISTRATION OF BROKERS AND SALESMEN OF SECURITIES.

Be it enacted, etc., as follows:

G. L. 110A, § 8,
etc., amended.

Section eight of chapter one hundred and ten A of the General Laws, inserted by section one of chapter four hundred and ninety-nine of the acts of nineteen hundred and twenty-one, as amended by section one of chapter three hundred and seventeen and by section three of chapter four hundred and thirty-five of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out all after the word "revoke" in the forty-seventh line and inserting in place thereof the following: — his registration either as broker or salesman or both. Upon the revocation of his registration, a broker or salesman shall not be regarded as registered nor be entitled thereafter to registration as either a broker or salesman, nor shall any firm of which he is a member, nor any corporation of which he is an officer, a manager or agent be regarded as registered or be entitled to registration, under the provisions of this chapter unless and until such revocation shall be annulled by the commission or by the court.

Registration
of brokers and
salesmen of
securities,
revocation, etc.

Approved February 21, 1923.

Chap. 49 AN ACT AUTHORIZING THE WENTWORTH INSTITUTE TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

1904, 221, § 1,
amended.

Section one of chapter two hundred and twenty-one of the acts of nineteen hundred and four is hereby amended by striking out, in the third line, the word "five" and inserting in place thereof the word: — ten, — so as to read as follows: — *Section 1.* The Wentworth Institute is hereby authorized to hold, for the purposes for which it is incorporated, real and personal estate to an amount not exceeding ten million dollars in value, including the amount which it is already authorized by law to hold.

Wentworth
Institute may
hold real and
personal estate.

Approved February 23, 1923.

Chap. 50 AN ACT TO PROMOTE THE USEFULNESS OF PUBLIC SCHOOL PROPERTY TO THE COMMUNITIES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. 71, § 71,
amended.

Section seventy-one of chapter seventy-one of the General Laws is hereby amended by inserting after the first sentence the following new sentence: — The use of such property as a place of assemblage for citizens to hear candidates for public office shall be considered a civic purpose within the meaning of this section, — so as to read as follows: — *Section 71.* For the purpose of promoting the usefulness of public school property, the school committee of any town may conduct such educational

Public use of
school property.

and recreational activities in or upon school property under its control, and, subject to such regulations as it may establish, and, consistently and without interference with the use of the premises for school purposes, shall allow the use thereof by individuals and associations for such educational, recreational, social, civic, philanthropic and like purposes as it deems for the interest of the community. The use of such property as a place of assemblage for citizens to hear candidates for public office shall be considered a civic purpose within the meaning of this section. This section shall not apply to Boston.

Civic purpose,
meaning.

Approved February 23, 1923.

AN ACT RELATIVE TO THE TRANSMISSION TO THE GENERAL COURT BY THE DEPARTMENT OF EDUCATION OF PETITIONS RELATING TO EDUCATIONAL INSTITUTIONS.

Chap. 51

Be it enacted, etc., as follows:

Section six of chapter three of the General Laws is hereby amended by striking out, in the thirteenth and fourteenth lines, the words "If the petition is approved by said department, it shall transmit it" and inserting in place thereof the words:— Said department shall transmit said petition, — so as to read as follows:— *Section 6.* Whoever intends to present to the general court a petition for the incorporation of a college, university or other educational institution with power to grant degrees, or for an amendment to the charter of any existing educational institution which will give it such power, shall on or before November first prior to its intended presentation deposit the same in the office of the department of education. The petitioners shall give notice of the petition by publishing a copy thereof once in each of three successive weeks in such newspapers as the commissioner of education may designate, the last publication to be made at least fourteen days before the session of the general court at which the petition is to be presented; and the petitioners shall, on or before January first, file with the said commissioner satisfactory evidence that the petition has so been published. Said department shall transmit said petition to the general court during the first week of the following session, together with its recommendations relative thereto.

G. L. 3, § 6,
amended.

Petitions for
incorporation,
etc., of educa-
tional institu-
tions to be
deposited in
department of
education, etc.

Newspaper
notice.

Transmission
of petition to
general court.

Approved February 23, 1923.

AN ACT TO ALLOW INMATES OF PENAL INSTITUTIONS TO ATTEND THE FUNERALS OF THEIR SPOUSES AND NEXT OF KIN.

Chap. 52

Be it enacted, etc., as follows:

Chapter one hundred and twenty-seven of the General Laws is hereby amended by inserting after section ninety the following new section:— *Section 90A.* An inmate of a penal institution may, in the discretion of the officer in charge of such institution, be allowed to attend, in the custody of an officer thereof, the funeral of his or her spouse or any next of kin.

G. L. 127, new
section after
§ 90.

Attendance of
certain funerals
by inmates of
penal institu-
tions.

Approved February 23, 1923.

Chap. 53 AN ACT TO AUTHORIZE THE CHILDREN'S HOSPITAL IN THE CITY OF BOSTON TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

The Children's Hospital may hold additional property.

The Children's Hospital, incorporated by chapter forty-four of the acts of eighteen hundred and sixty-nine, is hereby authorized to hold, for the purposes for which it is incorporated, real and personal estate to an amount not exceeding three million five hundred thousand dollars in value, including the amount which it is already authorized by law to hold.

Approved February 23, 1923.

Chap. 54 AN ACT RELATIVE TO THE PAYMENT OF DIVIDENDS OF CREDIT UNIONS BY CREDITING THE SAME TO MEMBERS' DEPOSIT ACCOUNTS.

Be it enacted, etc., as follows:

G. L. 171, § 23, amended.

Payment of dividends of credit unions.

Section twenty-three of chapter one hundred and seventy-one of the General Laws is hereby amended by striking out the last sentence and inserting in place thereof the following:— Dividends due to a member shall, at his election, be paid him in cash or be credited to his account in either shares or deposits, — so that the second paragraph will read as follows:— Such dividends shall be paid on all fully paid shares outstanding at the close of the fiscal year, but shares which become fully paid during the year shall be entitled only to a proportional part of said dividend, calculated from the first day of the month following such payment in full. Dividends due to a member shall, at his election, be paid him in cash or be credited to his account in either shares or deposits.

Approved February 23, 1923.

Chap. 55 AN ACT RELATIVE TO THE LIQUIDATION OF CREDIT UNIONS.

Be it enacted, etc., as follows:

G. L. 171, § 27, amended.

Liquidation of credit unions.

Chapter one hundred and seventy-one of the General Laws is hereby amended by striking out section twenty-seven and inserting in place thereof the following:— *Section 27.* At any meeting specially called for the purpose, the members, upon recommendation of not less than two thirds of the board of directors, may, by a two thirds vote of those present and entitled to vote, vote to liquidate the corporation. A committee of three shall thereupon be elected to liquidate the assets of the corporation under the direction of the commissioner, and each share of the capital stock, according to the amount paid thereon, shall be entitled to its proportional part of the assets in liquidation after all deposits and debts have been paid; and the charter of such corporation, voting to liquidate in accordance with this section, shall become void except for the purpose of discharging existing obligations and liabilities.

Charter to become void, etc.

Approved February 23, 1923.

AN ACT TO PROVIDE FOR A LARGER CURRENT APPROPRIATION *Chap. 56*
FOR THE FINANCE COMMISSION OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The finance commission of the city of Boston may expend during the current year the sum of ten thousand dollars for investigation purposes, in addition to such sums as it is authorized to expend annually under the provisions of section twenty of chapter four hundred and eighty-six of the acts of nineteen hundred and nine; and such additional sum shall be appropriated by said city.

Larger current appropriation for Boston finance commission.

Approved February 23, 1923.

AN ACT AUTHORIZING EACH DIVISION OF THE DEPARTMENT OF *Chap. 57*
PUBLIC WORKS TO SELL CERTAIN MAPS.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter eighty-one of the General Laws is hereby amended by inserting after the word "practicable" in the eleventh line the words: — , and may sell such maps or other maps prepared by it from time to time in connection with the work under its charge at such prices and on such conditions as it may determine, — so as to read as follows: — *Section 1.* The division of highways of the department of public works, in this chapter called the division, shall compile statistics relative to the public ways of counties, cities and towns, and make such investigations relative thereto as it considers expedient. It may be consulted by, and shall, without charge, advise officers of counties, cities or towns having the care of and authority over public ways, as to their construction, maintenance, alteration or repair; but such advice shall not impair the legal duties and obligations of any county, city or town. It shall prepare maps of the commonwealth on which shall be shown county, city and town boundaries, the public ways and the state highways, with their names if practicable, and may sell such maps or other maps prepared by it from time to time in connection with the work under its charge at such prices and on such conditions as it may determine. It shall give suitable names to state highways and may change the name of any way which becomes a part of a state highway. It may erect suitable guide posts and markers at convenient points on state highways or on ways leading thereto, and may place upon all main highways between cities and towns signboards indicating city and town lines and displaying the names of the cities and towns adjoining at the said lines. The signs shall be so constructed and marked as to exhibit plainly the names of the cities and towns to persons passing in motor vehicles or otherwise. The posts to hold the signboards shall be constructed of concrete, and the expense of erecting the signboards and posts shall be paid from the appropriations for the maintenance of state highways. It shall collect and collate information relative to the geological formation of the commonwealth so far as it relates to the materials suitable for road building, the location of which it shall, so far

G. L. 81, § 1, amended.

General duties of division of highways of department of public works.

Sale of maps, etc.

as practicable, designate on said maps, which shall be open to the inspection of officers of counties, cities and towns having the care of and authority over public ways. It shall give public notice of and hold at least one public meeting annually in each county for the open discussion of questions relative to the public ways.

G. L. 91, § 33,
amended.

SECTION 2. Section thirty-three of chapter ninety-one of the General Laws is hereby amended by adding at the end thereof the following:—The division may sell at such prices and on such conditions as it may prescribe maps prepared by it from time to time in connection with the work under its charge, — so as to read as follows:—*Section 33.* The division may make such surveys and do such other work as may be required by any order of the land court, to re-establish and permanently mark certain triangulation points and stations previously established in connection with the topographical survey of the commonwealth, and the town boundary survey, which have been lost or destroyed, and to obtain the geographical position of such new points and stations as may be required from time to time by the court. The division may sell at such prices and on such conditions as it may prescribe maps prepared by it from time to time in connection with the work under its charge.

Division of
waterways and
public lands of
department of
public works,
topographical
survey of com-
monwealth,
etc.

Sale of maps,
etc.

Approved February 24, 1923.

Chap. 58 AN ACT CHANGING THE TITLE OF THE CHIEF ENGINEER OF THE FIRE DEPARTMENT OF THE CITY OF CHICOPEE.

Be it enacted, etc., as follows:

1897, 239, § 20,
amended.

SECTION 1. Section twenty of chapter two hundred and thirty-nine of the acts of eighteen hundred and ninety-seven is hereby amended by striking out, in the second and third lines, the word "engineer" and inserting in place thereof the words:—of the fire department, — and by inserting after the word "The" in the eighteenth line the words:—chief of the fire department and, — so as to read as follows:—*Section 20.* The board of aldermen may establish a fire department for said city, to consist of a chief of the fire department and such other officers and members as the board of aldermen by ordinance shall from time to time prescribe; and said board of aldermen shall have authority to fix the time of their appointment and the term of their service, to define their powers and duties, and in general to make such regulations concerning the pay, conduct and government of such department, the management of fires and the conduct of persons attending fires, as they may deem expedient, and may fix such penalties for any violation of such regulations, or any of them, as are provided for the breach of the ordinances of said city. The appointment of all officers and members of such department shall be vested in the mayor exclusively, who shall also have authority to remove from office, after hearing, any officer or member for such cause as he shall deem sufficient. The chief of the fire department and engineers so appointed shall be firewards of the city; but the aldermen may authorize the appointment of additional firewards. The compensation of the

Fire depart-
ment of city of
Chicopee, title
of chief engi-
neer changed,
etc.

officers and members of the department shall be fixed by ordinance.

SECTION 2. This act shall take effect upon its acceptance by vote of the board of aldermen of the city of Chicopee, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to board of aldermen, etc.
Proviso.

Approved February 24, 1923.

AN ACT TO CHANGE THE TITLE OF THE CITY MARSHAL OF THE CITY OF CHICOPEE.

Chap. 59

Be it enacted, etc., as follows:

SECTION 1. Section twenty-two of chapter two hundred and thirty-nine of the acts of eighteen hundred and ninety-seven is hereby amended by striking out the words "city marshal" wherever they occur and inserting in place thereof in each instance the words: — chief of police, — so as to read as follows: — *Section 22.* The board of aldermen shall establish by ordinance a police department, consisting of a chief of police and of such subordinate officers and other members of the police force as it may prescribe, and may make regulations for the government of said department. The power of appointment of said chief of police, subordinate officers and members of the police force shall be vested in the mayor exclusively, and he shall have power to remove the members of the regular police force, after hearing, for such cause as he shall deem sufficient. All the members of the present regular police force except the chief of police or marshal, and such members as may hereafter be appointed except the chief of police, shall hold office during good behavior, and be subject to removal in the manner above provided. The mayor shall have the power to remove the chief of police at any time. The chief of police shall give a bond to the city in such sum and with such sureties as the board of aldermen may from time to time require.

1897, 239, § 22, amended.

Police department of city of Chicopee, title of city marshal changed.

SECTION 2. The words "city marshal" or any words referring to such officer, wherever they appear in any other provision of law, shall, in so far as such provision relates to the city of Chicopee, be construed to mean or refer to the chief of police of said city.

Words "city marshal," etc., how construed, etc.

SECTION 3. This act shall take effect upon its acceptance by vote of the board of aldermen of the city of Chicopee, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to board of aldermen, etc.
Proviso.

Approved February 24, 1923.

AN ACT RELATIVE TO THE PUBLICATION OF NOTICE IN DIVORCE CASES.

Chap. 60

Be it enacted, etc., as follows:

Section eight of chapter two hundred and eight of the General Laws is hereby amended by striking out, in the third and fourth lines, the words "the libel or of the substance thereof, with the order thereon" and inserting in place thereof the words: — such

G. L. 208, § 8, amended.

Summons by
notice to li-
bellee in
divorce cases.

a form of notice, as it or he may require, — so as to read as follows: — *Section 8.* The court or clerk may order the libellee to be summoned to appear and answer at the court having jurisdiction of the cause, by the publication of such a form of notice, as it or he may require, in one or more newspapers to be designated in the order, or by delivering to the libellee an attested copy of the libel and a summons, or in such other manner as it or he may require. If such order is made by the clerk, the court may order an additional notice. If the libellee does not appear and the court considers the notice defective or insufficient, it may order further notice.

Approved February 24, 1923.

Chap. 61 AN ACT RELATIVE TO THE FIRE DEPARTMENT OF THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

New Bedford
fire depart-
ment, appoint-
ments, etc., if
new board, etc.,
of control, etc.,
is established.

SECTION 1. The city council of the city of New Bedford may, if in the year nineteen hundred and twenty-three it shall have created and established a new and differently constituted and organized board or agency of control and management of its fire department by authority of law, appoint, or authorize the appointment of, the present chief engineer and the several assistant engineers to ranking positions and capacities in the permanently employed, organized fire force of said city, without compliance with the general requirements of civil service laws and rules. Said engineers, when appointed, shall bear such title and designation as the city council shall determine and shall perform the duties to which they shall be assigned by it, and shall, except with respect to their appointment, be subject to all civil service laws and rules and entitled to all benefits and privileges thereby conferred.

As affecting
eligibility for
retirement, etc.

In calculating the time of employment and service for the purpose of determining eligibility for retirement and pension, the period for which the said chief engineer and assistant engineers have held their former and present offices and positions in the fire force of said city shall be regarded as service in its fire department within the meaning of the pension and retirement laws.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1923.

Chap. 62 AN ACT PERMITTING THE CITY OF WALTHAM TO CHANGE THE NUMBER OF MEMBERS OF ITS BOARD OF SURVEY AND TO CONSOLIDATE SAID BOARD WITH ITS PLANNING BOARD.

Be it enacted, etc., as follows:

1909, 231, new
section after
§ 8.

City of Wal-
tham, board of
survey consoli-
dation with
planning board,
etc.

SECTION 1. Chapter two hundred and thirty-one of the acts of nineteen hundred and nine is hereby amended by inserting after section eight the following new section: — *Section 9.* Said city may by ordinance from time to time change the number of persons who shall constitute said board of survey. Said city may by ordinance consolidate said board with the planning board required by section seventy of chapter forty-one of the

General Laws. Such consolidated board shall be known as the board of survey and planning, and shall have all the rights, powers, duties and obligations of both of said boards.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1923.

AN ACT AUTHORIZING THE CITY OF LYNN TO BORROW MONEY Chap. 63
FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn, for the purpose of constructing, equipping and furnishing school buildings and of purchasing land therefor, may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Lynn School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

City of Lynn
may borrow
money for
school purposes.

Lynn School
Loan, Act of
1923.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1923.

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO INCUR Chap. 64
INDEBTEDNESS FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of sewer construction, the city of New Bedford may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, New Bedford Sewer Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

City of New
Bedford may
borrow money
for sewerage
purposes.

New Bedford
Sewer Loan,
Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1923.

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO INCUR Chap. 65
INDEBTEDNESS FOR CONSTRUCTING A WATER INTAKE GATE-
HOUSE STRUCTURE AND SCREEN BASIN AND EXTENDING ITS
PRINCIPAL WATER MAINS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing a water intake gate-house structure and screen basin and extending its principal water mains, the city of New Bedford may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, three hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, New Bedford Water Loan, Act of 1923. Each authorized

City of New
Bedford may
borrow money
for water sup-
ply purposes.

New Bedford
Water Loan,
Act of 1923.

issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1923.

Chap. 66 AN ACT RELATIVE TO THE TERMS OF OFFICE OF TOWN TREASURERS AND COLLECTORS OF TAXES.

Be it enacted, etc., as follows:

G. L. 41, § 1,
amended.

Election of
town officers.

Section one of chapter forty-one of the General Laws is hereby amended by striking out, in the sixth and in the seventh lines, the word "year" and inserting in place thereof in each instance the words:— or three years,— so as to read as follows:—
Section 1. Every town at its annual meeting shall in every year when the term of office of any incumbent expires, and except when other provision is made by law, choose by ballot from its inhabitants the following town officers for the following terms of office:

A town clerk for the term of one or more years.

A town treasurer for the term of one or three years.

One or more collectors of taxes for the term of one or three years, unless the town votes otherwise or votes to authorize its treasurer to act as collector.

Three or five selectmen for the term of one or three years.

Three or five assessors for the term of three years.

Three or five overseers of the poor for the term of one or three years unless the town votes to authorize its selectmen to act as overseers of the poor.

One or three auditors for the term of one year, unless a town accountant is appointed.

One or more highway surveyors for the term of one or three years; or

A road commissioner for the term of one year; or

Three road commissioners for terms of three years, as the town may vote.

A sewer commissioner for the term of one year; or

Three sewer commissioners for the terms of three years if the town has provided for such officers, unless the town by vote authorizes its road commissioners to act as sewer commissioners.

A tree warden for the term of one year.

One or more constables, unless the town by vote provides that they shall be appointed.

Three, or a number not exceeding fifteen, divisible by three, members of the school committee for terms of three years.

Three or more assistant assessors, if the town so votes, for the term of three years.

Three members of the board of health for the term of three years if the town provides for such board, otherwise the selectmen shall act as a board of health.

All other town officers shall be appointed by the selectmen unless other provision is made by law or by vote of the town. Appointments by selectmen.

Women shall be eligible to all town offices, notwithstanding any special law to the contrary. Women eligible to all town offices.

In any case where three or more members of a board are to be elected for terms of more than one year, as nearly one third as may be shall be elected annually. Plural boards, etc., number elected annually.

Approved February 26, 1923.

AN ACT AUTHORIZING THE SALE OR LEASE OF CERTAIN LAND HELD BY THE CITY OF LYNN FOR PLAYGROUND PURPOSES. Chap. 67

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn may, by a majority vote of its city council, approved by the mayor, lease with the option of purchase or may sell and convey in fee a certain parcel of land, or any part thereof, situated in said city, and now held by it for playground purposes and bounded and described as follows:—beginning at a point in Summer street and thence running in a northerly direction three hundred and seventy-nine and forty-four hundredths feet; thence easterly by two courses two hundred and eighteen and ninety-five hundredths feet; thence northerly four hundred and thirty-six feet; thence in a north-easterly direction one hundred and sixteen and thirty-five hundredths feet to the southerly line of the Saugus branch of the Boston and Maine Railroad; thence in a westerly direction four hundred and seventy-nine and fifty hundredths feet along said southerly line of the railroad; thence in a southwesterly direction one hundred and forty-six and eighty-eight hundredths feet; thence in a more southwesterly direction four hundred and fifty-three and thirty hundredths feet to the northerly line of Summer street; thence by a curved line two hundred and seventeen and sixty-six hundredths feet on said Summer street to the point of beginning and being shown on a plan as “Little River Playground at Summer Street, Lynn, Mass., December 30, 1919” and being plan numbered 8-G-2 in the office of the city engineer, Lynn, Massachusetts. City of Lynn may sell or lease certain land held for playground purposes.

The terms and covenants of any lease and the price or prices to be paid for the said land shall be fixed by the mayor, the city council and the board of park commissioners, and the money received therefor shall be appropriated and expended for the purchase or development of playgrounds in the city. The mayor may execute and deliver, on behalf of the city of Lynn, such instruments as may be necessary to transfer said land to any lessee or purchaser. Terms, prices, etc., by whom fixed. Disposition of proceeds.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year. To be submitted to city council, etc. Proviso.

Approved February 26, 1923.

Chap. 68 AN ACT RELATIVE TO THE BURDEN OF PROOF IN PROSECUTIONS FOR CERTAIN VIOLATIONS OF THE LAWS RELATIVE TO HUNTING AND TRAPPING BY ALIENS.

Be it enacted, etc., as follows:

G. L. 131, § 16,
amended.

Certain un-
naturalized
foreign born
residents pro-
hibited from
hunting, etc.

Penalty.

Burden of
proof in prose-
cutions.

Section sixteen of chapter one hundred and thirty-one of the General Laws is hereby amended by adding at the end thereof the following:— If, in any prosecution for violation of this section, the defendant alleges that he has been naturalized or that he owns real estate in the commonwealth to the value of five hundred dollars or more, the burden of proving the same shall be upon him, — so as to read as follows:— *Section 16.* No unnaturalized foreign born person who has resided within the commonwealth for ten consecutive days, who does not own real estate in the commonwealth to the value of five hundred dollars or more, shall hunt, capture or kill any wild bird or animal of any description, excepting in defence of the person, and no such person shall, within the commonwealth, own or have in his possession or under his control a shotgun or rifle; any shotgun or rifle owned by him or in his possession or under his control shall be forfeited to the commonwealth. Violations of this section shall be punished by a fine of fifty dollars or by imprisonment for not more than one month, or both. If, in any prosecution for violation of this section, the defendant alleges that he has been naturalized or that he owns real estate in the commonwealth to the value of five hundred dollars or more, the burden of proving the same shall be upon him.

Approved February 26, 1923.

Chap. 69 AN ACT AUTHORIZING THE TOWN OF ANDOVER TO CONSTRUCT AN OUTFALL SEWER FOR THE DISPOSAL OF ITS SEWAGE.

Be it enacted, etc., as follows:

Town of
Andover may
construct an
outfall sewer
for the disposal
of its sewage.

SECTION 1. For the purpose of disposing of the sewage and manufacturing wastes of the town of Andover, said town may lay out, construct and maintain an outfall sewer with an outlet into the Merrimack river, and for the aforesaid purpose may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such lands, water rights, rights of way and easements in said town as may be deemed necessary for the establishment of such system of sewage disposal and for any connections therewith, and may so take or acquire a strip of land of such width as may be deemed necessary on the westerly side of the Shawsheen river extending from the boundary of said town through a portion of the city of Lawrence to said Merrimack river. For the aforesaid purpose, said town may lay sewers through private and other lands and under any way or railroad, and for the aforesaid purpose or for repairing such sewers, may enter upon and dig up such private and other lands, ways or railroads in such manner as not unnecessarily to obstruct the same; provided, that said town shall not do any of the aforesaid work within the location of any railroad corpora-

Proviso.

tion except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. Said town shall leave any way so dug up in the city of Lawrence in a condition satisfactory to the city engineer of said city.

SECTION 2. No act shall be done under authority of the preceding section until plans of said outfall sewer with an outlet into the Merrimack river shall have been approved by the department of public health of the commonwealth, and no lands, water rights, rights of way, or easements outside the boundaries of the town of Andover shall be taken or acquired by said town until approved by the said department after notice to the cities and towns affected by said acquisition or taking and a public hearing by said department to all parties interested.

Plans, etc., to be approved by state department of public health.

SECTION 3. Any person injured in his property by any action of said town under this act may recover damages from said town under said chapter seventy-nine.

Recovery of damages.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, said town may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Andover Sewer Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

May borrow money.

Andover Sewer Loan, Act of 1923.

SECTION 5. This act shall take effect upon its passage, but no expenditure shall be made and no liability incurred thereunder unless said act shall first be accepted by vote of two thirds of the legal voters of the town of Andover present and voting thereon at a legal meeting called for that purpose within three years from the date of its passage.

To be submitted to voters, etc.

Approved February 26, 1923.

AN ACT VALIDATING THE ACCEPTANCE BY THE VOTERS OF THE TOWN OF GARDNER OF THE ACT INCORPORATING THE CITY OF GARDNER.

Chap. 70

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and nineteen of the acts of nineteen hundred and twenty-one, entitled "An Act to incorporate the city of Gardner", shall be deemed to have been duly and regularly accepted by a majority of the voters of the town of Gardner voting thereon under section fifty-three of said chapter one hundred and nineteen at the annual town election in the year nineteen hundred and twenty-two, notwithstanding that the question placed on the official ballot at said election did not conform to that set forth in said section fifty-three.

Acceptance by voters of Gardner of the act incorporating the city of Gardner, validated.

SECTION 2. No election or appointment and no act or proceeding of said city, or of any board, commission, officer or agent thereof, shall be deemed invalid by reason of any irregularity or informality attending the submission of said chapter one hun-

Elections, appointments, acts, etc., validated.

dred and nineteen to the voters of the town of Gardner, but all said elections, appointments, acts and proceedings, if otherwise in conformity to law, are hereby validated and confirmed.

SECTION 3. This act shall take effect upon its passage.

Approved February 28, 1923.

Chap. 71 AN ACT RELATIVE TO THE SALE OF LAND SUBJECT TO A CONDITIONAL LIMITATION OR REVERSION.

Be it enacted, etc., as follows:

G. L. 183, § 49,
amended.

Probate court
may appoint
trustees to
convey, etc.,
land subject
to remainder,
conditional
limitation,
reversion, etc.

Section forty-nine of chapter one hundred and eighty-three of the General Laws is hereby amended by inserting after the word "devise" in the second line the following:—, conditional limitation, reversion,— so as to read as follows:— *Section 49.* If land is subject to a vested or contingent remainder, executory devise, conditional limitation, reversion or power of appointment, the probate court for the county where such land is situated may, upon the petition of any person having an estate or interest therein, either present or future, vested or contingent, and after notice and other proceedings as hereinafter required, appoint one or more trustees and authorize him or them to sell and convey such land or any part thereof in fee simple, if such sale and conveyance appears to the court to be necessary or expedient, or to mortgage the same for such an amount, on such terms and for such purposes as may seem to the court judicious or expedient; and such conveyance or mortgage shall be valid and binding upon all parties. *Approved February 28, 1923.*

Chap. 72 AN ACT INCORPORATING THE WILBUR H. H. WARD EDUCATIONAL TRUST, INCORPORATED.

Be it enacted, etc., as follows:

The Wilbur
H. H. Ward
Educational
Trust, Incorporated,
incorporated.

SECTION 1. Ernest M. Whitecomb, Cady R. Elder and William T. Chapin, all of the town of Amherst, county of Hampshire and commonwealth of Massachusetts, trustees under the will and codicils of Wilbur H. H. Ward, late of said town of Amherst, and their successors in office as trustees appointed, in accordance with section four, are hereby made a corporation, under the name of The Wilbur H. H. Ward Educational Trust, Incorporated, with the right to receive and administer the bequests and endowments to them accruing under said will and codicils, which provide for assisting young men of good character, residents of said Hampshire county, who are pursuing a course of study at Massachusetts Agricultural College, or, if said college ceases to exist, at some other selected institution of learning located within this commonwealth, and who, in the opinion of said trustees and their successors, shall be worthy of such assistance, preference being given to young men who are residents of the town of Amherst.

Authorized to
receive prop-
erty, etc.

SECTION 2. The corporation is hereby authorized to receive all the rest and residue of the estate, both real and personal, of said Wilbur H. H. Ward remaining after payment of his debts,

and the legacies given by his will and codicils, and the expenses of administering his estate, and to invest and reinvest the principal of said trust fund by depositing the same in Massachusetts savings banks or by investing in such securities as are legal investments for savings banks in this commonwealth, and to hold, manage and expend the income received therefrom in accordance with the terms of said will and the provisions of this act of incorporation, and to sell at public or private sale any part or all the estate so received and held by it, if in performance of the duties of the trust it becomes, in the opinion of the trustees, necessary or expedient; and to execute and deliver good and sufficient deeds or other instruments transferring and conveying the same.

May sell estate, etc.

SECTION 3. The corporation is hereby authorized to deduct from the income of said trust fund the necessary expenses of carrying out the trust, including such reasonable compensation for the trustees as may be fixed by the judge of the probate court for Hampshire county; and to appropriate and expend the net remainder of the annual income of said trust fund, or such part thereof as in the opinion of the trustees shall be deemed expedient, for the assistance of young men of good character, residents of Hampshire county, who are pursuing a course of study at Massachusetts Agricultural College, or if at any time the Massachusetts Agricultural College shall cease to exist as an institution of learning, at such institution of learning located within this commonwealth as the trustees may select, and who, in the opinion of the trustees shall be worthy of such assistance, preference being given to young men who are residents of the town of Amherst; and if any portion of said net annual income shall remain unexpended or unappropriated by the trustees in any year, such unexpended income may be added to the principal and shall thereupon become a part thereof, or, in the discretion of the trustees may be carried over and added to the income of the succeeding year and appropriated and expended by the trustees as hereinbefore provided.

Expenses.

Annual income of trust fund, how to be spent.

Disposition of unexpended net annual income.

SECTION 4. The corporation shall exercise its powers and perform its duties by and through three trustees; said Ernest M. Whitcomb, Cady R. Elder and William T. Chapin, and their successors in office shall be the trustees, and shall furnish official bonds with surety, as required by the judge of said probate court, in a sum not less than the principal of the trust funds in their hands, the cost of furnishing such surety to be paid from the net income of said trust fund, as an expense incidental to the carrying out of the trust as hereinbefore created; upon the decrease or resignation of any of said trustees, or if at any time a vacancy occurs in the office of trustee created herein, then and in that event the remaining trustee or trustees shall petition the probate court for the county of Hampshire to appoint a trustee or trustees to fill such vacancy; and in the event that there shall be no trustee surviving, or the surviving trustee or trustees fail to bring such petition, then such petition may be brought by the executor or administrator of a deceased trustee or by any person desirous of promoting the carrying on of this trust; the trustees shall file in the office of the register of probate for said county of

Trustees, bonds, vacancies, etc.

Annual report to register of probate for

Hampshire
county.

Hampshire, annually, an itemized and detailed report of their receipts and expenses during each calendar year, with a statement of the funds on hand and how invested and where deposited on the first day of January in each year during the continuance of said trust, the first report to be made in January, nineteen hundred and twenty-four. *Approved February 28, 1923.*

Chap. 73 AN ACT PROVIDING FOR THE SUBMISSION OF CERTAIN VOTES AND MOTIONS FOR REFERENDUM IN THE TOWN OF NEEDHAM.

Be it enacted, etc., as follows:

Town of Needham, official tellers at town meetings, appointment, duties, etc.

SECTION 1. At every town meeting and adjournment thereof, held in the town of Needham, except that part of the annual meeting held for the election of town officers, officers to be appointed for the purpose by the selectmen and to be known as official tellers, shall attend at the entrance or entrances to the place of meeting and shall permit only voters of the town to enter. Such officers shall determine by the use of check lists, or by other means approved by the selectmen, the number of voters admitted to each meeting. The official tellers shall forthwith make return in writing to the town clerk under oath, which may be administered by the town clerk, of the number of voters admitted to each meeting and shall file with their return any check list used by them.

Submission of certain votes and motions for referendum.

SECTION 2. Except as otherwise provided herein, any vote passed or motion rejected at any original or adjourned town meeting attended by eight hundred or more voters according to the official tellers' return filed under the preceding section, shall, upon a petition filed under section three, be submitted to the voters for ratification or determination by official ballot at a subsequent town meeting called in the manner prescribed in said section three. No vote subject to ratification or determination shall take effect until the expiration of five days after the final adjournment or dissolution of such meeting, nor, if a petition for ratification has been filed, until the question of the ratification of such vote has been voted upon in the manner hereinafter provided. The provisions of this act shall not apply to votes for moderator or for any other town officer, to matters required by law to be voted upon by official ballot, to votes to incur debt for extreme emergency appropriations under the provisions of section seven of chapter forty-four of the General Laws, or to such parliamentary or other votes or motions as may be hereafter designated by by-law.

Time of taking effect of votes subject to referendum.

Provisions of act not applicable to certain votes and motions.

Petition for referendum.

SECTION 3. If within five days after the final adjournment or dissolution of any town meeting, a petition addressed to the selectmen shall be filed with the town clerk, signed by at least one hundred registered voters, requesting that any vote passed or motion rejected at such meeting which is subject to ratification or determination be submitted to the voters of the town for ratification or determination by official ballot, then the town clerk shall forthwith examine said petition, and if it is correct shall so certify thereon and transmit the same forthwith to the selectmen, who shall thereupon call a special town meeting for

Examination and certification by town clerk.
Special town meeting.

the sole purpose, except as provided in this and the following section, of submitting such vote or motion for ratification or determination by the voters at large. At such special meeting so called a vote shall be taken by official ballot and by use of the check list upon the question: "Shall the following (vote passed) (motion rejected) at the town meeting held on the day of _____ nineteen hundred and _____ be (ratified) (passed)?"

Vote to be taken by ballot, etc.

All other votes passed and motions rejected at the same town meeting, petitions for the ratification or determination of which have been transmitted to the selectmen in accordance with this section, shall be acted upon as herein provided at such special meeting. Any vote or motion submitted as aforesaid, if a majority of the votes cast thereon are in the affirmative in answer to the question so submitted, shall be considered to be ratified or passed; otherwise such vote or motion shall have no force or effect; provided, that if any vote or motion required for its original passage more than a majority of the votes cast at any town meeting, then a like proportion of votes at such special town meeting shall be required for ratification or passage.

What votes and motions to be acted upon, etc.

Votes or motions, when considered ratified, etc.

Proviso.

SECTION 4. The selectmen shall prepare ballots to be used at such special meeting and the conduct of such meeting and the time of opening and closing the polls shall be subject to their direction but in accordance with such by-laws as the town may adopt. In case two or more votes passed at a town meeting relate to one subject-matter, and a petition is filed as aforesaid for the ratification of one or more such votes, the selectmen may in their discretion submit, in addition to those for which petitions are filed, any or all of the votes relating to the same subject-matter; and for this purpose a vote to borrow money shall be held to relate to the same subject-matter as the vote or votes to appropriate the money to be borrowed.

Selectmen to prepare ballots, direct conduct of special meetings, etc.

Referendum in case two or more votes passed relate to one subject-matter.

SECTION 5. The town clerk shall make a record of the official tellers' returns of the number of voters admitted to each meeting in the records of the meeting and shall preserve such returns and all check lists filed as aforesaid until at least twenty days after the final adjournment or dissolution of the town meeting to which they relate or at which they were used, and they shall be open to public inspection. The town clerk shall also make copies of all petitions, filed as aforesaid, exclusive of the names affixed thereto, in the records of the meeting for ratification or determination to which they relate, and shall preserve such copies for public inspection until at least twenty days after the dissolution of the meeting for ratification or determination. All records made as aforesaid by the town clerk shall have the same legal force and effect as other records of proceedings at town meetings.

Town clerk to record official tellers' returns, make and preserve copies of petitions, etc.

Legal force and effect.

SECTION 6. This act shall be submitted to the voters of the town of Needham for their acceptance at the next annual meeting in the form of the following question, which shall be placed upon the official ballot used for the election of town officers: "Shall an act passed by the general court in the year nineteen hundred and twenty-three, entitled 'An Act providing for the submission

To be submitted to voters, etc.

of certain votes and motions for referendum in the town of Needham' be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to such question, thereupon said act shall take effect in such town, but not otherwise.

Time of taking effect.

SECTION 7. So much of this act as authorizes its submission to the voters of said town for their acceptance shall take effect upon its passage.

Approved March 2, 1923.

Chap. 74 AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO INCUR INDEBTEDNESS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

City of Newburyport may borrow money for highway purposes.

SECTION 1. For the purpose of widening Merrimac street in the city of Newburyport, and of acquiring land therefor by purchase or otherwise, including the buildings on said land, and of reconstructing said street, said city may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred and seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Newburyport Highway Widening and Reconstruction Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Newburyport Highway Widening and Reconstruction Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved March 2, 1923.

Chap. 75 AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO INCUR INDEBTEDNESS FOR HIGH SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of Newburyport may borrow money for high school purposes.

SECTION 1. For the purpose of purchasing or otherwise acquiring land in the city of Newburyport for high school purposes, together with the buildings thereon, and for the original construction of a high school building thereon, or for the construction of an addition or additions to the present high school building, or for the reconstruction or remodeling of said present high school building, including the cost of the original equipment and furnishings of such buildings or additions, the said city may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Newburyport High School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Newburyport High School Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved March 2, 1923.

AN ACT AUTHORIZING THE TOWN OF DANVERS TO BORROW MONEY FOR SCHOOL PURPOSES. *Chap. 76*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing a new high school building or additions to school buildings where such additions increase the floor space, and constructing other school buildings, and for the purpose of original equipment and furnishings for said buildings or additions, the town of Danvers may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Danvers School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town of Danvers may borrow money for school purposes.

Danvers School Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved March 2, 1923.

AN ACT AUTHORIZING THE TOWN OF SHREWSBURY TO MAKE AN ADDITIONAL WATER LOAN. *Chap. 77*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of enlarging or improving its present water system, the town of Shrewsbury may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, twenty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words Shrewsbury Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town of Shrewsbury may make an additional water loan.

Shrewsbury Water Loan, Act of 1923.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act shall, without further vote, be assessed by the assessors of said town annually thereafter in the same manner as other taxes, until the debt incurred hereunder is extinguished.

Payment of loan.

SECTION 3. This act shall take effect upon its passage.

Approved March 2, 1923.

Chap. 78 AN ACT AUTHORIZING THE TOWN OF BELMONT TO BORROW MONEY FOR HIGH SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of Belmont may borrow money for high school purposes.

Belmont School Loan, Act of 1923.

SECTION 1. For the purpose of constructing, furnishing and equipping an addition to the present high school building in the town of Belmont for the accommodation of the junior high school until such time as such addition may be needed for high school purposes, said town may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, one hundred and seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Belmont School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 2, 1923.

Chap. 79 AN ACT AUTHORIZING THE CITY OF FALL RIVER TO INCUR INDEBTEDNESS FOR SEWER PURPOSES.

Be it enacted, etc., as follows:

City of Fall River may borrow money for sewer purposes.

Fall River Sewer Loan, Act of 1923.

SECTION 1. For the purpose of extending its sewer system, the city of Fall River may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Fall River Sewer Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 2, 1923.

Chap. 80 AN ACT AUTHORIZING THE TOWN OF BELMONT TO MAKE ADDITIONAL WATER LOANS.

Be it enacted, etc., as follows:

Town of Belmont may make additional water loans.

Belmont Water Loan, Act of 1923.

SECTION 1. For the purpose of extending and relaying its water mains and improving its water distribution facilities, the town of Belmont may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Belmont Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. The said town shall, at the time of the authorization of said loan or loans, provide for the payment thereof in ac-

Payment of loan.

cordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works, and the interest as it accrues on all bonds or notes issued by the town for water department purposes under this and prior acts, and to make such payments on the principal thereof as may be required by law, shall, without further vote, be assessed by the assessors of said town annually thereafter in the same manner as other taxes until all the debt incurred hereunder is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved March 2, 1923.

AN ACT AUTHORIZING THE CITY OF EVERETT TO EXTEND CERTAIN REVENUE LOANS. Chap. 81

Be it enacted, etc., as follows:

SECTION 1. The city of Everett may refund or extend from time to time for a period not exceeding two years from the date of the passage of this act revenue loans issued on account of the revenue of the years nineteen hundred and seventeen, nineteen hundred and twenty-one and nineteen hundred and twenty-two and now outstanding, to an amount not exceeding three hundred thousand dollars, the same to be outside the statutory limit of indebtedness. None of the uncollected taxes of the year nineteen hundred and twenty-two and prior years shall be appropriated for any purpose other than to meet existing revenue loans issued prior to January first, nineteen hundred and twenty-three or refunding loans herein authorized, so long as any of such loans are outstanding, but there shall be raised by the assessors in the year nineteen hundred and twenty-five a sufficient sum which, together with the receipts on account of the revenues of the year nineteen hundred and twenty-two and previous years, will extinguish said revenue loans and the refunding loans herein authorized.

City of
Everett may
refund or
extend certain
revenue loans.

SECTION 2. This act shall take effect upon its passage.

Approved March 2, 1923.

AN ACT EXTENDING THE TIME FOR THE TAKING OF THE PICTURE ENTITLED "THE SYNAGOGUE", NOW IN THE BOSTON PUBLIC LIBRARY. Chap. 82

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

The time within which the department of education is required under chapter five hundred and forty-one of the acts of nineteen hundred and twenty-two to take by right of eminent domain the picture entitled "The Synagogue", now in the Boston public library, is hereby extended to July first, nineteen hundred and twenty-four.

Time extended
for taking pic-
ture entitled
"The Syna-
gogue," now
in Boston
public library.

Approved March 2, 1923.

Chap. 83 AN ACT AUTHORIZING THE COUNTY OF BRISTOL TO PENSION
JULIA P. WILMARTH.

Be it enacted, etc., as follows:

County of
Bristol may
pension Julia
P. Wilmarth.

SECTION 1. The county commissioners of the county of Bristol may retire Julia P. Wilmarth, for thirty years a clerk in the registry of deeds for the northern district of said county, on an annual pension not exceeding six hundred dollars, payable by said county in monthly instalments.

To be sub-
mitted to
county com-
missioners.

SECTION 2. This act shall take effect upon its acceptance, prior to December thirty-first in the current year, by the county commissioners of said county. *Approved March 2, 1923.*

Chap. 84 AN ACT TO REGULATE ADVERTISING OF SUBSTITUTES FOR
BUTTER.

Be it enacted, etc., as follows:

G. L. 94, § 51,
amended.

Section fifty-one of chapter ninety-four of the General Laws is hereby amended by inserting after the word "cattle" in the twelfth line the words: —, or whoever uses in any way in connection or association with an advertisement of margarine, oleomargarine or of any substance designed to be used as a substitute for butter, the name or representation of any dairy animal or breed of dairy cattle, or, with intent to deceive, uses in any way in such connection or association the word "butter", "creamery" or "dairy", or any other words or symbols commonly used only in advertisements of butter, — so as to read as follows: — *Section 51.* Whoever sells, exposes for sale or has in his possession with intent to sell, any article, substance or compound made in imitation or semblance of butter or cheese or as a substitute therefor, except as provided in the two preceding sections, and whoever with intent to deceive defaces, erases, cancels or removes any mark, stamp, brand, label or wrapper provided for in said sections, or in any manner falsely labels, stamps or marks any box, tub, article or package marked, stamped or labelled as provided in said sections, or whoever himself or by his agent sells, exposes for sale, or has in his possession with intent to sell, oleomargarine, contained in any box, tub, article or package, marked or labelled with the word "dairy", or the word "creamery", or the name of any breed of dairy cattle, or whoever uses in any way in connection or association with an advertisement of margarine, oleomargarine or of any substance designed to be used as a substitute for butter, the name or representation of any dairy animal or breed of dairy cattle, or, with intent to deceive, uses in any way in such connection or association the word "butter", "creamery" or "dairy", or any other words or symbols commonly used only in advertisements of butter, shall for the first offence forfeit one hundred dollars, and for each subsequent offence two hundred dollars, to the use of the town where the offence was committed.

Unlawful sale,
etc., of imita-
tion butter and
cheese, etc.

Advertising of
substitutes for
butter regu-
lated.

Approved March 2, 1923.

AN ACT RELATIVE TO PENALTIES FOR FAILURE TO FILE ANNUAL RETURNS BY OFFICERS OF MUNICIPAL LIGHTING PLANTS.

Chap. 85

Be it enacted, etc., as follows:

Section sixty-three of chapter one hundred and sixty-four of the General Laws is hereby amended by adding at the end thereof the following: — Any officer of a town manufacturing or selling gas or electricity for lighting who, being required by this section to make an annual return to the department, neglects to make such annual return shall, for the first fifteen days or portion thereof during which such neglect continues, forfeit five dollars a day; for the second fifteen days or any portion thereof, ten dollars a day; and for each day thereafter not more than fifteen dollars a day. Any such officer who unreasonably refuses or neglects to make such return shall, in addition thereto, forfeit not more than five hundred dollars. If a return is defective or appears to be erroneous, the department shall notify the officer to amend it within fifteen days. Any such officer who neglects to amend said return within the time specified, when notified to do so, shall forfeit fifteen dollars for each day during which such neglect continues. All forfeitures incurred under this section may be recovered by an information in equity brought in the supreme judicial court by the attorney general, at the relation of the department, and when so recovered shall be paid to the commonwealth.

G. L. 164, § 63, amended.

Municipal lighting plants, penalties for officers failing to file annual returns, etc.

Forfeitures, how recovered.

Approved March 2, 1923.

AN ACT RELATIVE TO THE ANNUAL STATEMENTS OF INSURANCE COMPANIES.

Chap. 86

Be it enacted, etc., as follows:

Section twenty-five of chapter one hundred and seventy-five of the General Laws, as amended by section two of chapter one hundred and sixty-five of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the first paragraph and inserting in place thereof the following: — *Section 25.* Every company shall annually, on or before March first, file with the commissioner a statement showing its financial condition on December thirty-first of the previous year, and its business of that year. But a life company shall not be required to file that part of its annual statement known as the gain and loss exhibit until May first following.

G. L. 175, § 25, etc., amended.

Annual statements of insurance companies.

Approved March 2, 1923.

AN ACT CHANGING THE POWERS OF THE OTIS COMPANY.

Chap. 87

Be it enacted, etc., as follows:

SECTION 1. The Otis Company, a corporation incorporated by chapter three of the acts of eighteen hundred and forty, is hereby authorized upon vote of a majority in interest of its stockholders, at a meeting legally called for the purpose, to assign, transfer and convey or cause to be assigned, transferred and conveyed such of its property, locations, rights, licenses,

Otis Company may assign, transfer, etc., certain property, rights, franchises, etc.

Proviso.

May acquire and hold shares of company, etc., acquiring said property, rights, etc.

Trust in case of assignment, etc., to individual.

Proviso.

1908, 235, repealed.

To be subject to laws applicable to business corporations, etc.

powers, privileges and franchises as relate to the manufacture, sale and distribution of gas. Such assignment, transfer and conveyance of said property, locations, rights, licenses, powers, privileges and franchises shall be made to such corporation, voluntary association or individual as the stockholders of the Otis Company may vote; provided, however, that such assignment, transfer and conveyance shall not be made unless and until the department of public utilities has approved the same, and said department is hereby authorized to give such approval in writing.

SECTION 2. The Otis Company is hereby authorized to acquire and hold all of the shares of such company or voluntary association, if any, as may acquire the property, locations, rights, licenses, powers, privileges and franchises conveyed pursuant to the authorization contained in the preceding section, notwithstanding anything to the contrary contained in any general or special law heretofore enacted; or if such assignment, transfer and conveyance be made to an individual, then such individual is hereby authorized and empowered to hold said property, locations, rights, licenses, powers, privileges and franchises in trust for said Otis Company; provided, however, that the terms, conditions and provisions of such trust, if any, shall be submitted to the department of public utilities and be approved by said department.

SECTION 3. Chapter two hundred and thirty-five of the acts of nineteen hundred and eight is hereby repealed.

SECTION 4. The Otis Company shall hereafter be subject in all respects to all general laws applicable to business corporations, and have all the powers thereby conferred on domestic business corporations, notwithstanding any limitations to the contrary heretofore enacted by special law.

Approved March 2, 1923.

Chap. 88 AN ACT AUTHORIZING THE CITY OF LYNN TO PENSION SAMUEL MARTIN.

Be it enacted, etc., as follows:

City of Lynn may pension Samuel Martin.

SECTION 1. The city of Lynn may retire Samuel Martin, for thirty-five years in the employ of its highway department and at present employed as a foreman in said department, on an annual pension equal to one half the average rate of compensation paid him during the three years preceding his retirement.

To be submitted to city council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 2, 1923.

Chap. 89 AN ACT AUTHORIZING THE CITY OF MEDFORD TO PENSION ALVIN R. REED.

Be it enacted, etc., as follows:

City of Medford may pension Alvin R. Reed.

SECTION 1. The city of Medford may retire Alvin R. Reed, for many years in its employ and at present employed as clerk

of its board of park commissioners and of its board of health, on an annual pension not exceeding one half the annual compensation paid him at the time of his retirement.

SECTION 2. This act shall take effect upon its acceptance by vote of the board of aldermen of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to board of aldermen, etc. Proviso.

Approved March 2, 1923.

AN ACT RELATIVE TO DEFECTIVE OR ERRONEOUS RETURNS BY GAS AND ELECTRIC COMPANIES.

Chap. 90

Be it enacted, etc., as follows:

Section eighty-four of chapter one hundred and sixty-four of the General Laws is hereby amended by inserting after the second sentence the following:— If a return is defective or appears to be erroneous, the department shall notify the company or person to amend it within fifteen days. A company or person neglecting to amend said return within the time specified in the notice, when notified to do so, shall forfeit fifteen dollars for each day during which such neglect continues, — so as to read as follows:— *Section 84.* Each such gas or electric company or manufacturing company or person neglecting to make the annual return required by the preceding section shall, for the first fifteen days or portion thereof during which such neglect continues, forfeit five dollars a day; for the second fifteen days or any portion thereof, ten dollars a day; and for each day thereafter not more than fifteen dollars a day. If any such company or person unreasonably refuses or neglects to make such return, it or he shall, in addition thereto, forfeit not more than five hundred dollars. If a return is defective or appears to be erroneous, the department shall notify the company or person to amend it within fifteen days. A company or person neglecting to amend said return within the time specified in the notice, when notified to do so, shall forfeit fifteen dollars for each day during which such neglect continues. All forfeitures incurred under this section may be recovered by an information in equity brought in the supreme judicial court by the attorney general, at the relation of the department, and when so recovered shall be paid to the commonwealth.

G. L. 164, § 84, amended.

Gas and electric companies, penalty for failure to make annual return.

Defective or erroneous returns, penalty, etc.

Forfeitures, how recovered.

Approved March 2, 1923.

AN ACT ESTABLISHING THE OFFICE OF SUPERINTENDENT OF SEWERS OF THE CITY OF LYNN.

Chap. 91

Be it enacted, etc., as follows:

SECTION 1. Section twenty of chapter three hundred and forty of the Special Acts of nineteen hundred and seventeen, as amended by section two of chapter one hundred and seventy-seven of the Special Acts of nineteen hundred and nineteen, is hereby further amended by striking out the paragraph numbered 8 and inserting in place thereof the following two paragraphs:— 8. A superintendent of streets. 8A. A superintendent of sewers.

1917, 340 (S), § 20, etc., amended.

City of Lynn, superintendent of sewers.

1917, 340 (S),
§ 22, etc.,
amended.

Commission
on ways and
drainage.

Superintendent
of sewers, elec-
tion, etc.

SECTION 2. Section twenty-two of said chapter three hundred and forty, as amended by section three of said chapter one hundred and seventy-seven, is hereby further amended by striking out, in the second line, the words: — and sewers.

SECTION 3. As soon as may be after the acceptance of this act, the superintendent of sewers shall be elected by the city council of the city of Lynn to serve until April first following. Said office shall thereafter be filled in accordance with the provisions of section twenty of said chapter three hundred and forty, as amended by section one of this act, the first election thereto to be made as soon as may be after March first, nineteen hundred and twenty-four.

To be sub-
mitted to
voters, etc.

SECTION 4. This act shall be submitted to the voters of the city of Lynn at the city election in the current year in the form of the following question to be placed upon the official ballot: — “Shall an act of the general court passed in the current year, entitled ‘An Act establishing the office of superintendent of sewers of the city of Lynn’ be accepted?” If a majority of the votes cast on said question are in the affirmative, this act shall take effect, but not otherwise. *Approved March 2, 1923.*

Chap. 92 AN ACT AUTHORIZING THE COUNTY OF BRISTOL TO PENSION
LILLA A. SHALLING.

Be it enacted, etc., as follows:

County of
Bristol may
pension Lilla
A. Shalling.

SECTION 1. The county commissioners of the county of Bristol may retire Lilla A. Shalling, for thirty years a clerk in the registry of deeds for the northern district of said county, on an annual pension not exceeding six hundred dollars, payable by said county in monthly instalments.

To be sub-
mitted to
county commis-
sioners, etc.

SECTION 2. This act shall take effect upon its acceptance, prior to December thirty-first in the current year, by the county commissioners of said county. *Approved March 2, 1923.*

Chap. 93 AN ACT AUTHORIZING THE TRUSTEES OF NORTHEASTERN UNI-
VERSITY OF THE BOSTON YOUNG MEN'S CHRISTIAN ASSOCIA-
TION TO GRANT CERTAIN DEGREES.

Be it enacted, etc., as follows:

Trustees of
Northeastern
University of
the Boston
Young Men's
Christian Asso-
ciation may
grant certain
degrees.

The Trustees of Northeastern University of the Boston Young Men's Christian Association, a corporation organized under general law, are hereby authorized to confer such degrees as are usually conferred by colleges and universities in this commonwealth, except medical and dental degrees and degrees of Bachelor of Science (B.S.) and Bachelor of Arts (A.B.), and to grant diplomas therefor. *Approved March 5, 1923.*

Chap. 94 AN ACT AUTHORIZING THE CITY OF FALL RIVER TO BORROW
MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of Fall
River may
borrow money
for school
purposes.

SECTION 1. For the purpose of purchasing or otherwise acquiring land and of constructing thereon school buildings and providing for the original equipment and furnishing of said build-

ings, the city of Fall River may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one million two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Fall River School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Fall River
School Loan,
Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved March 5, 1923.

AN ACT TO INCREASE THE NUMBER OF TRUSTEES OF TABOR ACADEMY IN THE TOWN OF MARION.

Chap. 95

Be it enacted, etc., as follows:

SECTION 1. The number of authorized trustees of Tabor Academy in the town of Marion is hereby increased to thirteen. The additional trustees provided for herein shall be appointed by the present trustees and any vacancies in said additional trustees shall be filled by the remaining trustees of the academy in accordance with the provisions of the will of Elizabeth Tabor, late of Marion, deceased, so far as the same apply thereto.

Tabor Acad-
emy in town
of Marion,
increase in
number of
trustees.

SECTION 2. This act shall take effect upon its passage.

Approved March 5, 1923.

AN ACT CONFERRING UPON THE PROBATE COURT JURISDICTION CONCURRENT WITH THE SUPREME JUDICIAL COURT OVER SALES OF LAND CHARGED WITH THE PAYMENT OF MONEY.

Chap. 96

Be it enacted, etc., as follows:

Section fifty-two of chapter one hundred and eighty-three of the General Laws is hereby amended by inserting after the word "judicial" in the third line the words: — or probate, — so as to read as follows: — *Section 52.* If land is charged with the payment of money, either in fixed amounts or in annuities for a life or lives or for years, the supreme judicial or probate court for the county where any part of such land is situated may upon the petition of the persons holding title thereto subject to the charge of such payment, and after notice and a hearing, authorize them to sell and convey by private sale or public auction the whole or any portion of such land in fee simple and free from such charges, whether present or future, certain or contingent; and it shall in such case provide by its decree for the payment of the amounts charged upon such land by placing the whole or any portion of the proceeds of the sale thereof in the hands of a trustee appointed by it, by the purchase of annuities for the persons entitled to receive the amounts so charged, or by any other means which shall be considered just and reasonable. Such trustees shall give bond in such sum as the court may order, shall, under the direction of the court, manage and account for the trust fund and shall distribute the income thereof according to its decree.

G. L. 183, § 52,
amended.

Sale of land
subject to
charges for
payment of
annuities, etc.

Appointment
of trustee.

Trustees'
bond, etc.

Approved March 5, 1923.

Chap. 97 AN ACT AUTHORIZING THE TOWN OF ATHOL TO APPROPRIATE MONEY FOR BAND CONCERTS.

Be it enacted, etc., as follows:

Town of Athol may appropriate money for band concerts.

SECTION 1. The town of Athol may at any town meeting appropriate a sum of money, not exceeding eight hundred dollars in any year, to be expended for public band concerts.

To be submitted to town, etc.

SECTION 2. This act shall take effect upon its acceptance by the town of Athol at a town meeting called for the purpose, but, for the purpose of such acceptance, shall take effect upon its passage.

Approved March 5, 1923.

Chap. 98 AN ACT PROHIBITING THE USE OF THE NAMES OF POLITICAL PARTIES BY ORGANIZATIONS OTHER THAN DULY ELECTED POLITICAL COMMITTEES.

Be it enacted, etc., as follows:

G. L. 55, new section after § 33.

Use of names of political parties by certain organizations regulated.

SECTION 1. Chapter fifty-five of the General Laws is hereby amended by inserting after section thirty-three the following new section: — *Section 33A.* No organization consisting of two or more persons, other than a political committee duly elected in accordance with law or a corporation organized prior to January first, nineteen hundred and twenty-three, under the laws of this commonwealth and having as a part of its name the name of a political party, as defined by law, shall, in order to promote the success or defeat of a political party or principle or of a candidate in a public election, in any circular, advertisement or publication use in its organization name the name of such a political party, except with the written consent of the duly elected state committee representing such political party.

G. L. 56, new section after § 62.

Penalty for unlawful use of names of political parties, etc.

SECTION 2. Chapter fifty-six of the General Laws is hereby amended by inserting after section sixty-two the following new section: — *Section 62A.* Any member of an organization subject to section thirty-three A of chapter fifty-five who participates in a violation of any provision of said section shall be punished by imprisonment for not more than six months or by a fine of not more than one thousand dollars, or both.

Approved March 7, 1923.

Chap. 99 AN ACT PROHIBITING THE USE OF ALL KINDS OF SNARES FOR CATCHING OR KILLING ANIMALS.

Be it enacted, etc., as follows:

G. L. 131, § 45, amended.

SECTION 1. Section forty-five of chapter one hundred and thirty-one of the General Laws is hereby amended by striking out the comma after the word "trap" in the third line and inserting in place thereof the word: — or, — by striking out, in the third and fourth lines, the words "or snare" and by striking out, in the fifth line, the word " , snare", — so as to read as follows: — *Section 45.* Whoever, except between October twentieth and November twentieth, both inclusive, hunts, takes or kills a gray

Close season, etc., for gray squirrels,

squirrel, or takes or kills at any time a gray squirrel by means of a trap or net, or for the purpose of killing a gray squirrel constructs or sets a trap or net shall be punished by a fine of not less than ten nor more than twenty-five dollars. This section shall not apply to the owner or occupant of any dwelling house or other building finding any gray squirrel doing substantial damage to the same, or to any fruit tree, grain or other growing cultivated crop. Whoever takes or kills more than five gray squirrels in one day or more than fifteen in one year shall be punished by a fine of twenty dollars for each squirrel so taken or killed.

Exception.

Bag limit.

SECTION 2. Section forty-eight of said chapter one hundred and thirty-one is hereby amended by striking out, in the fourth and in the fifth lines, the word “, snare”, — so as to read as follows: — *Section 48.* No person shall remove or attempt to remove a hare or a rabbit from any hole in the ground, stone wall, from under any ledge, stone wall, or any other place where they may be trapped.

G. L. 131, § 48, amended.

Hares and rabbits not to be trapped

SECTION 3. Section fifty-eight of said chapter one hundred and thirty-one is hereby amended by striking out, in the third line, the word “wire”, — so as to read as follows: — *Section 58.* Whoever places poison in any form whatsoever for the purpose of killing any animal, or constructs, erects, sets, repairs or tends any snare for the purpose of catching or killing any animal, shall be punished by a fine of not more than one hundred dollars; provided, that this section shall not prohibit any person from placing in or near his house, barns or fields poison intended to destroy rats, woodchucks or other pests of a like nature, or insects of any kind.

G. L. 131, § 58, amended.

Poison and snares not to be used in killing animals.

Proviso.

Approved March 9, 1923.

AN ACT RELATIVE TO THE QUALIFICATION FOR, AND REMOVAL FROM, OFFICE OF OFFICERS AND DIRECTORS OF CO-OPERATIVE BANKS. Chap. 100

Be it enacted, etc., as follows:

Section seven of chapter one hundred and seventy of the General Laws is hereby amended by inserting after the word “corporation”, in the eleventh line, the words: — ; and if a person appointed or elected does not, within thirty days thereafter, take the oath, his office shall thereupon become vacant, — and by adding at the end thereof the words: — If a director fails both to attend the regular meetings of the board and to perform any of the duties devolving upon him as such director for six consecutive months, his office may be declared by the

G. L. 170, § 7, amended.

Chap. 97 AN ACT AUTHORIZING THE TOWN OF ATHOL TO APPROPRIATE MONEY FOR BAND CONCERTS.

Be it enacted, etc., as follows:

Town of Athol may appropriate money for band concerts.

SECTION 1. The town of Athol may at any town meeting appropriate a sum of money, not exceeding eight hundred dollars in any year, to be expended for public band concerts.

To be submitted to town, etc.

SECTION 2. This act shall take effect upon its acceptance by the town of Athol at a town meeting called for the purpose, but, for the purpose of such acceptance, shall take effect upon its passage.

Approved March 5, 1923.

Chap. 98 AN ACT PROHIBITING THE USE OF THE NAMES OF POLITICAL PARTIES BY ORGANIZATIONS OTHER THAN DULY ELECTED POLITICAL COMMITTEES.

Chapter 98, Acts of 1923.

Referendum petition filed March 20, 1923.

See page 596.

promote the success or defeat of a political party or principle or of a candidate in a public election, in any circular, advertisement or publication use in its organization name the name of such a political party, except with the written consent of the duly elected state committee representing such political party.

G. L. 56, new section after § 62.

Penalty for unlawful use of names of political parties, etc.

SECTION 2. Chapter fifty-six of the General Laws is hereby amended by inserting after section sixty-two the following new section: — *Section 62A.* Any member of an organization subject to section thirty-three A of chapter fifty-five who participates in a violation of any provision of said section shall be punished by imprisonment for not more than six months or by a fine of not more than one thousand dollars, or both.

Approved March 7, 1923.

Chap. 99 AN ACT PROHIBITING THE USE OF ALL KINDS OF SNARES FOR CATCHING OR KILLING ANIMALS.

Be it enacted, etc., as follows:

G. L. 131, § 45, amended.

SECTION 1. Section forty-five of chapter one hundred and thirty-one of the General Laws is hereby amended by striking out the comma after the word "trap" in the third line and inserting in place thereof the word: — or, — by striking out, in the third and fourth lines, the words "or snare" and by striking out, in the fifth line, the word ", snare", — so as to read as follows: — *Section 45.* Whoever, except between October twentieth and November twentieth, both inclusive, hunts, takes or kills a gray

Close season, etc., for gray squirrels.

squirrel, or takes or kills at any time a gray squirrel by means of a trap or net, or for the purpose of killing a gray squirrel constructs or sets a trap or net shall be punished by a fine of not less than ten nor more than twenty-five dollars. This section shall not apply to the owner or occupant of any dwelling house or other building finding any gray squirrel doing substantial damage to the same, or to any fruit tree, grain or other growing cultivated crop. Whoever takes or kills more than five gray squirrels in one day or more than fifteen in one year shall be punished by a fine of twenty dollars for each squirrel so taken or killed.

Exception.

Bag limit.

SECTION 2. Section forty-eight of said chapter one hundred and thirty-one is hereby amended by striking out, in the fourth and in the fifth lines, the word “, snare”, — so as to read as follows: — *Section 48.* No person shall remove or attempt to remove a hare or a rabbit from any hole in the ground, stone wall, from under any ledge, stone, log or tree, and, except as provided in the following section, no person shall take or kill a hare or a rabbit by a trap or net, or for that purpose construct or set a trap or net, or use a ferret. The possession of a ferret in a place where hares or rabbits might be taken or killed shall be prima facie evidence that the person having the ferret in possession has used it for taking and killing hares or rabbits contrary to law. Ferrets used in violation hereof shall be confiscated. Whoever, except as provided in section fifty, violates this section shall be punished by a fine of not less than five nor more than fifty dollars.

G. L. 131, § 48, amended.

Hares and rabbits not to be trapped, etc.

Use of ferret.

Penalty.

SECTION 3. Section fifty-eight of said chapter one hundred and thirty-one is hereby amended by striking out, in the third line, the word “wire”, — so as to read as follows: — *Section 58.* Whoever places poison in any form whatsoever for the purpose of killing any animal, or constructs, erects, sets, repairs or tends any snare for the purpose of catching or killing any animal, shall be punished by a fine of not more than one hundred dollars; provided, that this section shall not prohibit any person from placing in or near his house, barns or fields poison intended to destroy rats, woodchucks or other pests of a like nature, or insects of any kind.

G. L. 131, § 58, amended.

Poison and snares not to be used in killing animals.

Proviso.

Approved March 9, 1923.

AN ACT RELATIVE TO THE QUALIFICATION FOR, AND REMOVAL FROM, OFFICE OF OFFICERS AND DIRECTORS OF CO-OPERATIVE BANKS. Chap. 100

Be it enacted, etc., as follows:

Section seven of chapter one hundred and seventy of the General Laws is hereby amended by inserting after the word “corporation”, in the eleventh line, the words: — ; and if a person appointed or elected does not, within thirty days thereafter, take the oath, his office shall thereupon become vacant, — and by adding at the end thereof the words: — If a director fails both to attend the regular meetings of the board and to perform any of the duties devolving upon him as such director for six consecutive months, his office may be declared by the

G. L. 170, § 7, amended.

Officers of
co-operative
banks, election,
qualification,
removal, etc.

Time limit for
oath of office.

Office of direc-
tor, when to be
declared
vacant, etc.

board at the next regular meeting to be vacant. A record of any vacancy shall be entered upon the books of the corporation, and a transcript of such record shall be sent by mail to the person whose office has been made vacant, — so as to read as follows: — *Section 7.* The business and affairs of every such corporation shall be managed by a board of not less than five directors to be elected by the shareholders. Directors may be elected for terms of not less than one nor more than three years, and, in case the term is more than one year, they shall be divided into classes and an equal number, as nearly as may be, elected each year. All vacancies in the board or in any office may be filled by the board of directors for the unexpired term. Every officer and director when appointed or elected shall take an oath that he will faithfully and impartially discharge the duties devolving upon him, and the fact that the oath has been taken shall be entered in the records of the corporation; and if a person appointed or elected does not, within thirty days thereafter, take the oath, his office shall thereupon become vacant. The president, vice president and treasurer may be chosen either by the shareholders or by the board of directors as the by-laws may determine. No shareholder shall be entitled to more than one vote at any meeting, and no shareholder shall vote by proxy. All officers shall be elected by ballot, shall be shareholders when nominated and shall continue to hold their offices until their successors have been chosen and shall have assumed their duties, and no such corporation shall expire from neglect to elect officers at the time prescribed in its by-laws. If an officer ceases to be a shareholder his office shall thereupon become vacant. If a director fails both to attend the regular meetings of the board and to perform any of the duties devolving upon him as such director for six consecutive months, his office may be declared by the board at the next regular meeting to be vacant. A record of any vacancy shall be entered upon the books of the corporation, and a transcript of such record shall be sent by mail to the person whose office has been made vacant.

Approved March 9, 1923.

Chap. 101 AN ACT RELATIVE TO CERTAIN PARADES BY REGULARLY ORGANIZED POSTS OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES.

Be it enacted, etc., as follows:

G. L. 33, § 64,
amended.

Section sixty-four of chapter thirty-three of the General Laws is hereby amended by striking out the comma after the word "States", in the second line, and inserting in place thereof the word: — and, — by striking out, in the third line, the words "and the state guard", and by striking out the comma after the word "Veterans" in the twenty-seventh line and inserting in place thereof the words: — and regularly organized posts of the Veterans of Foreign Wars of the United States, — so as to read as follows: — *Section 64.* No body of men, except the volunteer militia, the troops of the United States and the Ancient

Unauthorized
drilling and
parading with

and Honorable Artillery Company of Boston, except as provided in the following section, shall maintain an armory, or associate together at any time as a company or organization, for drill or parade with firearms, or so drill or parade; nor shall any town raise or appropriate money toward arming, equipping, uniforming, supporting or providing drill rooms or armories for any such body of men; provided, that associations wholly composed of soldiers honorably discharged from the service of the United States may parade in public with arms, upon the reception of any regiment or company of soldiers returning from said service, and for escort duty at the burial of deceased soldiers, with the written permission of the aldermen of the city or selectmen of the town where they desire to parade; that students in educational institutions where military science is a prescribed part of the course of instruction may, with the consent of the governor, drill and parade with firearms in public, under the superintendence of their teachers; that members of schools for military instruction conducted with the approval of the governor, may drill and parade with firearms in public, under the supervision of their instructors; that foreign troops whose admission to the United States has been consented to by the United States government may, with the consent of the governor, drill and parade with firearms in public; and any body of men may, with the consent of the governor, drill and parade in public with any harmless imitation of firearms approved by the adjutant general; that regularly organized posts of the Grand Army of the Republic, and of The American Legion, and regularly organized camps of the United Spanish War Veterans and regularly organized posts of the Veterans of Foreign Wars of the United States may at any time parade in public their color guards of not more than twelve men armed with firearms; that regularly organized camps of the Sons of Veterans may at any time parade in public their color guards of ten men with firearms; and that any organization heretofore authorized by law may parade with side-arms; and any veteran association composed wholly of past members of the militia of the commonwealth may maintain an armory for the use of the organizations of the militia to which its members belonged; provided, that such drill or parade is not in contravention of the laws of the United States.

firearms forbidden, etc., except.

Provisos.

Approved March 9, 1923.

AN ACT RELATIVE TO TRANSIENT VENDORS.

Chap. 102

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and one of the General Laws, as amended by section one of chapter one hundred and six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the twelfth line, the word "ten" and inserting in place thereof the word: — nine, — so as to read as follows: — *Section 1.* "Transient vendor" for the purposes of this chapter shall mean and include any person, either principal or agent, who engages in a temporary or

G. L. 101, § 1, etc., amended.

"Transient vendor," term defined.

transient business in the commonwealth, either in one locality or in traveling from place to place selling goods, wares or merchandise.

"Temporary or transient business," term defined.

"Temporary or transient business" for the purposes of this chapter shall mean and include any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours for a period of at least nine months in each year.

G. L. 101, § 2, etc., amended.

SECTION 2. Section two of said chapter one hundred and one, as amended by section two of said chapter one hundred and six, is hereby further amended by inserting after the word "sales" in the fourth line the words: — at wholesale, — and by striking out, in the eighth line, the words "he has paid taxes" and inserting in place thereof the words: — taxes have been assessed, — so as to read as follows: — *Section 2.* The provisions of this chapter relative to transient vendors shall not apply to sales by commercial travelers or by selling agents to dealers in the usual course of business, or to bona fide sales at wholesale of goods, wares or merchandise by sample for future delivery, or to sales of goods, wares or merchandise by any person, whether principal or agent, who engages in temporary or transient business in any town in which taxes have been assessed upon his stock in trade during the current year, or to hawkers and peddlers as defined in section thirteen, nor shall they affect the right of any town to pass ordinances or by-laws authorized by law relative to transient vendors. No transient vendor shall be relieved or exempted from the provisions and requirements of this chapter relative to transient vendors by reason of associating himself temporarily with any local dealer, trader or merchant, or by conducting such temporary or transient business in connection with or as a part of the business of, or in the name of any local dealer, trader or merchant.

Limit of application of certain laws relating to transient vendors.

No exemption by association with local dealer, etc.

Approved March 9, 1923.

Chap. 103 AN ACT RELATIVE TO THE MARKING OF BOUNDARY LINES OF TOWNS.

Be it enacted, etc., as follows:

G. L. 42, § 10, amended.

Obliteration, etc., of monuments, etc., designating boundary lines of towns regulated.

Chapter forty-two of the General Laws is hereby amended by striking out section ten and inserting in place thereof the following: — *Section 10.* No person, except as hereinafter provided, shall remove, obliterate or cover up any monument or mark designating a boundary line of a town. The county commissioners of the county where any such monument or mark is wholly or partly situated may grant to any person making written application permission to remove, cover up or obliterate the same, first making provision for preserving the exact location of the original boundary or mark by causing proper witness marks to be set up, or other means taken, which shall, with proper designation and measurement, indicate the position of the original mark or monument. The commissioners shall cause a full description and designation of such witness marks and monuments so made and set up to be recorded in the office of the

Record of witness marks, etc.

town clerk of the contiguous towns, and a copy of such description to be forwarded to the state secretary. This section shall not apply to monuments and marks designating boundary lines of the commonwealth.

Exception.

Approved March 9, 1923.

AN ACT AUTHORIZING THE COUNTY OF HAMPDEN TO PENSION
LYDIA M. TANNER.

Chap.104

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Hampden may retire Lydia M. Tanner, for twenty-two years an assistant register of deeds for said county, on an annual pension not exceeding eight hundred dollars payable by said county in monthly instalments.

County of Hampden may pension Lydia M. Tanner.

SECTION 2. This act shall take effect upon its acceptance, prior to December thirty-first in the current year, by the county commissioners of said county.

To be submitted to county commissioners, etc.

Approved March 9, 1923.

AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO PENSION
STILLMAN R. SAMPSON.

Chap.105

Be it enacted, etc., as follows:

The town of Plymouth may retire Stillman R. Sampson, for fifty-one years an employee of said town and at present its assistant superintendent of streets, on an annual pension equal to one half the annual compensation paid him at the time of his retirement.

Town of Plymouth may pension Stillman R. Sampson.

Approved March 9, 1923.

AN ACT AUTHORIZING THE CITY OF WOBURN TO PENSION
WILLIAM KERWIN.

Chap.106

Be it enacted, etc., as follows:

SECTION 1. The city of Woburn may retire William Kerwin, an employee of its water department, on an annual pension equal to one half the annual salary paid him at the time of his retirement.

City of Woburn may pension William Kerwin.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved March 10, 1923.

AN ACT PROVIDING FOR ADDITIONAL CITY PHYSICIANS IN THE
CITY OF HAVERHILL.

Chap.107

Be it enacted, etc., as follows:

The municipal council of the city of Haverhill may, in addition to the one city physician now provided for by its charter, elect one or more, not exceeding three, additional persons as city physicians. The term of office, salary and manner of election of such additional officers shall be the same as now provided in respect to the city physician of said city.

City of Haverhill, additional city physicians.

Approved March 10, 1923.

*Chap.*108 AN ACT RELATIVE TO APPEALS FROM DECISIONS OF THE BUILDING COMMISSIONER OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1907, 550, § 7,
etc., amended.

City of Boston,
appeals from
decisions of
building com-
missioner.

Section seven of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section three of chapter four hundred and forty of the acts of nineteen hundred and twenty, is hereby further amended by adding at the end thereof the following new paragraph:— Any applicant to the building commissioner for a permit who appeals to the said board shall pay to him a fee of ten dollars before such permit shall be considered by the board. Such fees shall be deposited by the building commissioner with the city collector at least once in each week. The building commissioner may in his discretion refer without fee to the said board for its decision such cases as in his opinion justice requires. *Approved March 10, 1923.*

*Chap.*109 AN ACT RELATIVE TO THE PROMOTION OF CALL MEN OF ALL CLASSES IN THE FIRE DEPARTMENTS OF CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

G. L. 48, § 36,
amended.

Promotion of
call men in
fire depart-
ments of
certain cities
and towns.

SECTION 1. Section thirty-six of chapter forty-eight of the General Laws is hereby amended by striking out, in the sixth line, the words "appoint as members of" and inserting in place thereof the words:— promote to membership in, — and by inserting after the word "examination" in the seventh line the words:— and without any probationary period of service required under said chapter thirty-one and the rules and regulations made thereunder, — so as to read as follows:— *Section 36.* Any town which has accepted chapter four hundred and eighty-seven of the acts of nineteen hundred and thirteen, and has a call or part call fire department which now is or may hereafter be subject to chapter thirty-one, may, on the recommendation of the board of engineers of the fire department or of the officer or board having charge of the fire department, promote to membership in the permanent force, without civil service examination and without any probationary period of service required under said chapter thirty-one and the rules and regulations made thereunder, any persons then in the call or part call fire department who have served as call men or part call men or substitute call men for five or more successive years, and who are certified to be competent physically for the duty by the town physician, if any, otherwise by a physician designated therefor by the board of engineers or other authority, as aforesaid.

Certain call
men to become
permanent
members of
fire force, etc.

SECTION 2. Every call man, part call man or substitute call man who, prior to the date this act takes effect, was appointed, under and in accordance with the provisions of said section thirty-six, as a member of the permanent fire force in a city or town and who on said date is serving a probationary period

under the provisions of chapter thirty-one of the General Laws and the rules and regulations made thereunder shall, forthwith upon the taking effect of this act, become a permanent member of said fire force.

Approved March 10, 1923.

AN ACT RELATIVE TO THE POLITICAL EXPENSES OF CANDIDATES
FOR PUBLIC OFFICE.

Chap. 110

Be it enacted, etc., as follows:

Chapter fifty-five of the General Laws is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* No person, in order to aid or promote his own nomination or election to public office, shall himself or through another person give, pay, expend or contribute any money or other thing of value, or promise so to do, in excess of the following amounts:

G. L. 55, § 1,
amended.

Campaign
expenses of
candidates for
public office
limited and
defined.

	Primary.	Election.
United States Senator,	\$5,000	\$10,000
Governor,	5,000	10,000
Lieutenant Governor, State Secretary, State Treas- urer, State Auditor, Attorney General,	3,000	6,000
Representative in Congress,	3,000	6,000
State Senator,	1,000	1,000

Representative in the General Court: —

Each candidate may spend:

In a district entitled to three representatives,	600	600
In a district entitled to two representatives,	500	500
In a district entitled to one representative,	400	400

A candidate for any other office may expend an amount not exceeding forty dollars for each one thousand, or major portion thereof, of the registered voters qualified to vote for candidates for the office in question at the next preceding election; but no such candidate shall expend more than fifteen hundred dollars for the expenses of a primary, nor more than three thousand dollars for the expenses of an election. Any candidate may, however, expend a sum not exceeding two hundred dollars for primary or election expenses. Contributions by a candidate to political committees shall be included in the foregoing sums.

The sums hereby authorized shall include all contributions from individuals, political committees or other sources to a candidate or person acting in his behalf, and shall include every payment or promise of payment for any purpose, made directly or indirectly by, or for the benefit of, a candidate, except that a political committee may make and incur expenses not for the sole benefit of an individual candidate, or which it is permitted by section five to make for an individual candidate; and the gift, payment, contribution or promise of any money or thing of value in excess of those sums, by a candidate directly or indirectly, or by any persons for his benefit, shall be deemed a corrupt practice.

To include
contributions
etc.

Exception in
case of political
committee.

Excess pay-
ments, etc.,
deemed a
corrupt
practice.

Approved March 10, 1923.

Chap.111 AN ACT TO FIX THE VENUE OF CERTAIN ACTIONS BROUGHT IN DISTRICT COURTS.

Be it enacted, etc., as follows:

G. L. 223, § 7,
amended.

Venue of
actions for
defect in way,
etc., and for
negligence.

Not applicable
to actions
brought in a
district court.

Section seven of chapter two hundred and twenty-three of the General Laws is hereby amended by adding at the end thereof the words:— This section shall not apply to actions that may be brought in a district court,— so as to read as follows:— *Section 7.* An action against a town or person to recover for injury or damage received by reason of a defect, want of repair or of an insufficient railing in or upon a public way shall be brought in the county where said town is situated or in the county where the plaintiff lives, except that such action against the city of Boston may be brought in Middlesex county, in Norfolk county or in the county where the plaintiff lives, and such action against the town of Nantucket or against any town in Dukes county may be brought in Bristol county. An action against a town or person to recover for injury or damage received in the commonwealth by reason of negligence other than that relating to such defect, want of repair or insufficient railing shall be brought in the county where the plaintiff lives or has his usual place of business, or in the county where the alleged injury or damage was received. This section shall not apply to actions that may be brought in a district court.

Approved March 12, 1923.

Chap.112 AN ACT TO MAKE UNIFORM THE LAW RELATING TO LIMITED PARTNERSHIPS.

Be it enacted, etc., as follows:

G. L., new
chapter in place
of chapter 109.

SECTION 1. The General Laws is hereby amended by striking out chapter one hundred and nine and inserting in place thereof the following:—

CHAPTER 109.

LIMITED PARTNERSHIPS.

Uniform
Limited
Partnership
Act.

Limited
partnership,
term defined.
Formation.

Certificate,
signing, con-
tents, etc.

Section 1. A limited partnership is a partnership formed by two or more persons under the provisions of section two, having as members one or more general partners and one or more limited partners. The limited partners as such shall not be bound by the obligations of the partnership.

Section 2. (1) Two or more persons desiring to form a limited partnership shall

- (a) Sign and swear to a certificate, which shall state
 - I. The name of the partnership,
 - II. The character of the business,
 - III. The location of the principal place of business,
 - IV. The name and place of residence of each member; general and limited partners being respectively designated,
 - V. The term for which the partnership is to exist,

VI. The amount of cash and a description and the agreed value of the other property contributed by each limited partner,

Certificate; signing, contents, etc.

VII. The additional contributions, if any, agreed to be made by each limited partner and the times at which or events on the happening of which they shall be made,

VIII. The time, if agreed upon, when the contribution of each limited partner is to be returned,

IX. The share of the profits or the other compensation by way of income which each limited partner shall receive by reason of his contribution,

X. The right, if given, of a limited partner to substitute an assignee as contributor in his place, and the terms and conditions of the substitution,

XI. The right, if given, of the partners to admit additional limited partners,

XII. The right, if given, of one or more of the limited partners to priority over other limited partners, as to contributions or as to compensation by way of income, and the nature of such priority,

XIII. The right, if given, of the remaining general partner or partners to continue the business on the death, retirement or insanity of a general partner, and

XIV. The right, if given, of a limited partner to demand and receive property other than cash in return for his contribution.

(b) File for record the certificate in the office of the state secretary

Filing certificate with state secretary.

(2) A limited partnership is formed if there has been substantial compliance in good faith with all requirements of paragraph (1).

Formation, if substantial compliance, etc.

Section 3. A limited partnership may carry on any business which a partnership without limited partners may carry on.

Business which may be carried on.

Section 4. The contributions of a limited partner may be cash or other property, but not services.

Limited partner's contributions.

Section 5. (1) The surname of a limited partner shall not appear in the partnership name, unless

Limited partner surname not to appear in name, unless, etc.

(a) It is also the surname of a general partner, or

(b) Prior to the time when the limited partner became such the business had been carried on under a name in which his surname appeared.

Liability of limited partner whose name appears, etc.

(2) A limited partner whose name appears in a partnership name contrary to the provisions of paragraph (1) is liable as a general partner to partnership creditors who extend credit to the partnership without actual knowledge that he is not a general partner.

Section 6. If the certificate contains a false statement, one who suffers loss by reliance on such statement may hold liable any party to the certificate who knew the statement to be false

Liability for false statements in certificate.

(a) At the time he signed the certificate, or

(b) Subsequently, but within a sufficient time before the statement was relied upon to enable him to cancel or amend the certificate, or to file a petition for its cancellation or amendment as provided in section twenty-five (3).

Limited partner not liable as a general partner unless, etc.

Admission of additional limited partners.

Rights, powers and liabilities of a general partner.

Section 7. A limited partner shall not become liable as a general partner unless, in addition to the exercise of his rights and powers as a limited partner, he takes part in the control of the business.

Section 8. After the formation of a limited partnership additional limited partners may be admitted upon filing an amendment to the original certificate in accordance with the requirements of section twenty-five.

Section 9. (1) A general partner shall have all the rights and powers and be subject to all the restrictions and liabilities of a partner in a partnership without limited partners, except that without the written consent or ratification of the specific act by all the limited partners, a general partner or all of the general partners have no authority to

(a) Do any act in contravention of the certificate,

(b) Do any act which would make it impossible to carry on the ordinary business of the partnership,

(c) Confess a judgment against the partnership,

(d) Possess partnership property, or assign their rights in specific partnership property, for other than a partnership purpose,

(e) Admit a person as a general partner,

(f) Admit a person as a limited partner, unless the right so to do is given in the certificate,

(g) Continue the business with partnership property on the death, retirement or insanity of a general partner, unless the right so to do is given in the certificate.

Rights of a limited partner.

Section 10. (1) A limited partner shall have the same rights as a general partner to

(a) Have the partnership books kept at the principal place of business of the partnership, and at all times to inspect and copy any of them,

(b) Have on demand true and full information of all things affecting the partnership, and a formal account of partnership affairs whenever circumstances render it just and reasonable, and

(c) Have dissolution and winding up by decree of court.

(2) A limited partner shall have the right to receive a share of the profits or other compensation by way of income, and to the return of his contribution as provided in sections fifteen and sixteen.

Status of person erroneously believing himself a limited partner.

Section 11. A person who has contributed to the capital of a business conducted by a person or partnership erroneously believing that he has become a limited partner in a limited partnership, is not, by reason of his exercise of the rights of a limited partner, a general partner with the person or in the partnership carrying on the business, or bound by the obligations of such person or partnership; provided, that on ascertaining the mistake he promptly renounces his interest in the profits of the business, or other compensation by way of income.

Proviso.

One person both general and limited partner.

Section 12. (1) A person may be a general partner and a limited partner in the same partnership at the same time.

(2) A person who is a general, and also at the same time a limited partner, shall have all the rights and powers and be

subject to all the restrictions of a general partner; except that, in respect to his contribution, he shall have the rights against the other members which he would have had if he were not also a general partner.

Section 13. (1) A limited partner also may loan money to and transact other business with the partnership, and, unless he is also a general partner, receive on account of resulting claims against the partnership, with general creditors, a pro rata share of the assets. No limited partner shall in respect to any such claim

Loans and other business transactions with limited partner.

(a) Receive or hold as collateral security any partnership property, or

(b) Receive from a general partner or the partnership any payment, conveyance, or release from liability, if at the time the assets of the partnership are not sufficient to discharge partnership liabilities to persons not claiming as general or limited partners.

(2) The receiving of collateral security, or a payment, conveyance or release in violation of the provisions of paragraph (1) is a fraud on the creditors of the partnership.

Section 14. Where there are several limited partners the members may agree that one or more of the limited partners shall have a priority over other limited partners as to the return of their contributions, as to their compensation by way of income, or as to any other matter. If such an agreement is made it shall be stated in the certificate, and in the absence of such a statement all the limited partners shall stand upon equal footing.

Relation of limited partners inter se.

Section 15. A limited partner may receive from the partnership the share of the profits or the compensation by way of income stipulated for in the certificate; provided, that after such payment is made, whether from the property of the partnership or that of a general partner, the partnership assets are in excess of all liabilities of the partnership except liabilities to limited partners on account of their contributions and to general partners.

Compensation of limited partner. Proviso.

Section 16. (1) A limited partner shall not receive from a general partner or out of partnership property any part of his contribution until

Withdrawal or reduction of limited partner's contribution.

(a) All liabilities of the partnership, except liabilities to general partners and to limited partners on account of their contributions, have been paid or there remains property of the partnership sufficient to pay them,

(b) The consent of all members is had, unless the return of the contribution may be rightfully demanded under the provisions of paragraph (2), and

(c) The certificate is cancelled or so amended as to set forth the withdrawal or reduction.

(2) Subject to the provisions of paragraph (1) a limited partner may rightfully demand the return of his contribution

(a) On the dissolution of a partnership, or

(b) When the date specified in the certificate for its return has arrived, or

(c) After he has given six months' notice in writing to all

other members, if no time is specified in the certificate either for the return of the contribution or for the dissolution of the partnership.

(3) In the absence of any statement in the certificate to the contrary or the consent of all members, a limited partner, irrespective of the nature of his contribution, has only the right to demand and receive cash in return for his contribution.

(4) A limited partner may have the partnership dissolved and its affairs wound up when

(a) He rightfully but unsuccessfully demands the return of his contribution, or

(b) The other liabilities of the partnership have not been paid, or the partnership property is insufficient for their payment as required by paragraph (1 a) and the limited partner would otherwise be entitled to the return of his contribution.

Liability of
limited partner
to partnership.

Section 17. (1) A limited partner is liable to the partnership

(a) For the difference between his contribution as actually made and that stated in the certificate as having been made, and

(b) For any unpaid contribution which he agreed in the certificate to make in the future at the time and on the conditions stated in the certificate.

(2) A limited partner holds as trustee for the partnership

(a) Specific property stated in the certificate as contributed by him, but which was not contributed or which has been wrongfully returned, and

(b) Money or other property wrongfully paid or conveyed to him on account of his contribution.

(3) The liabilities of a limited partner as set forth in this section can be waived or compromised only by the consent of all members; but a waiver or compromise shall not affect the right of a creditor of a partnership, who extended credit or whose claim arose after the filing and before a cancellation or amendment of the certificate, to enforce such liabilities.

(4) When a contributor has rightfully received the return in whole or in part of the capital of his contribution, he is nevertheless liable to the partnership for any sum, not in excess of such return with interest, necessary to discharge its liabilities to all creditors who extended credit or whose claims arose before such return.

Nature of
limited
partner's
interest.
Assignment of
limited
partner's
interest.

Section 18. A limited partner's interest in the partnership is personal property.

Section 19. (1) A limited partner's interest is assignable.

(2) A substituted limited partner is a person admitted to all the rights of a limited partner who has died or has assigned his interest in a partnership.

(3) An assignee, who does not become a substituted limited partner, has no right to require any information or account of the partnership transactions or to inspect the partnership books; he is only entitled to receive the share of the profits or other compensation by way of income, or the return of the contribution, to which his assignor would otherwise be entitled.

(4) An assignee shall have the right to become a substituted limited partner if all the members, except the assignor, consent thereto or if the assignor, being thereunto empowered by the certificate, gives the assignee that right.

(5) An assignee becomes a substituted limited partner when the certificate is appropriately amended in accordance with section twenty-five.

(6) The substituted limited partner has all the rights and powers, and is subject to all the restrictions and liabilities of his assignor, except those liabilities of which he was ignorant at the time he became a limited partner and which could not be ascertained from the certificate.

(7) The substitution of the assignee as a limited partner does not release the assignor from liability to the partnership under sections six and seventeen.

Section 20. The retirement, death or insanity of a general partner dissolves the partnership, unless the business is continued by the remaining general partners, (a) under a right so to do stated in the certificate, or (b) with the consent of all members.

Effect of retirement, death or insanity of a general partner.

Section 21. (1) On the death of a limited partner his executor or administrator shall have all the rights of a limited partner for the purpose of settling his estate, and such power as the deceased had to constitute his assignee a substituted limited partner.

Death of limited partner.

(2) The estate of a deceased limited partner shall be liable for all his liabilities as a limited partner.

Section 22. (1) On due application to the superior court by any creditor of a limited partner, the court may charge the interest of the indebted limited partner with payment of the unsatisfied amount of such claim; and may appoint a receiver, and make all other orders, directions, and inquiries which the circumstances of the case may require.

Rights of creditors of limited partner.

(2) The interest may be redeemed with the separate property of any general partner, but may not be redeemed with partnership property.

(3) The remedies conferred by paragraph (1) shall not be deemed exclusive of others which may exist.

(4) Nothing in this chapter shall be held to deprive a limited partner of his statutory exemption.

Section 23. (1) In settling accounts after dissolution the liabilities of the partnership shall be entitled to payment in the following order:

Distribution of assets after dissolution.

(a) Those to creditors, in the order of priority as provided by law, except those to limited partners on account of their contributions and to general partners,

(b) Those to limited partners in respect to their share of the profits and other compensation by way of income on their contributions,

(c) Those to limited partners in respect to the capital of their contributions,

(d) Those to general partners other than for capital and profits,

- (e) Those to general partners in respect to profits,
- (f) Those to general partners in respect to capital.

(2) Subject to any statement in the certificate or to subsequent agreement, limited partners share in the partnership assets in respect to their claims for capital, and in respect to their claims for profits or for compensation by way of income on their contributions, respectively, in proportion to the respective amounts of such claims.

When certificate shall be cancelled or amended.

Section 24. (1) The certificate shall be cancelled when the partnership is dissolved or all limited partners cease to be such.

(2) A certificate shall be amended when

(a) There is a change in the name of the partnership or in the amount or character of the contribution of any limited partner,

(b) A person is substituted as a limited partner,

(c) An additional limited partner is admitted,

(d) A person is admitted as a general partner,

(e) A general partner retires, dies or becomes insane, and the business is continued under section twenty,

(f) There is a change in the character of the business of the partnership,

(g) There is a false or erroneous statement in the certificate,

(h) There is a change in the time as stated in the certificate for the dissolution of the partnership or for the return of a contribution,

(i) A time is fixed for the dissolution of the partnership, or the return of a contribution, no time having been specified in the certificate, or

(j) The members desire to make a change in any other statement in the certificate in order that it shall accurately represent the agreement between them.

Requirements for amendment and for cancellation of certificate.

Section 25. (1) The writing to amend a certificate shall

(a) Conform to the requirements of section two (1 a) as far as necessary to set forth clearly the change in the certificate which it is desired to make, and

(b) Be signed and sworn to by all members, and an amendment substituting a limited partner or adding a limited or general partner shall be signed also by the member to be substituted or added, and when a limited partner is to be substituted, the amendment shall also be signed by the assigning limited partner.

(2) The writing to cancel a certificate shall be signed by all members.

(3) A person desiring the cancellation or amendment of a certificate, if any person designated in paragraphs (1) and (2) as a person who must execute the writing refuses to do so, may petition the superior court to direct a cancellation or amendment thereof.

(4) If the court finds that the petitioner has a right to have the writing executed by a person who refuses to do so, it shall order the state secretary to record the cancellation or amendment of the certificate; and where the certificate is to be amended, the court shall also cause to be filed for record in the office of the state secretary a certified copy of its decree setting forth the amendment.

(5) A certificate is amended or cancelled when there is filed for record in the office of the state secretary

(a) A writing in accordance with the provisions of paragraph (1) or (2), or

(b) A certified copy of the order of court in accordance with the provisions of paragraph (4).

(6) After the certificate is duly amended in accordance with this section, the amended certificate shall thereafter be for all purposes the certificate provided for by this chapter.

Section 26. A contributor, unless he is a general partner, is not a proper party to proceedings by or against a partnership, except where the object is to enforce a limited partner's right against or liability to the partnership. Parties to actions.

Section 27. This chapter may be cited as the Uniform Limited Partnership Act. Name of act.

Section 28. (1) The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this chapter. Rules of construction.

(2) This chapter shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

(3) This chapter shall not be so construed as to impair the obligations of any contract existing when said chapter goes into effect, nor to affect any action or proceedings begun or right accrued before said chapter takes effect.

Section 29. In any case not provided for in this chapter the rules of law and equity, including the law merchant, shall govern. Rules for cases not provided for in this act.

Section 30. (1) A limited partnership formed under any statute of this commonwealth prior to January first, nineteen hundred and twenty-four, may become a limited partnership under this chapter by complying with the provisions of section two; provided, the certificate sets forth, Provisions for existing limited partnerships.

(a) The amount of the original contribution of each limited partner, and the time when the contribution was made, and

(b) That the property of the partnership exceeds the amount sufficient to discharge its liabilities to persons not claiming as general or limited partners by an amount greater than the sum of the contributions of its limited partners. Proviso.

SECTION 2. A limited partnership formed under any statute of this commonwealth prior to January first, nineteen hundred and twenty-four, until or unless it becomes a limited partnership under this chapter, shall continue to be governed by the provisions of chapter one hundred and nine of the General Laws in force immediately prior to said date, except that such partnership shall not be renewed unless so provided in the original agreement. Certain existing limited partnerships to continue to be governed by certain provisions of law, etc.

SECTION 3. This act shall take effect January first, nineteen hundred and twenty-four. Time of taking effect.

Approved March 12, 1923.

*Chap.*113 AN ACT AUTHORIZING TEMPORARY LOANS TO PROVIDE FUNDS FOR THE CARE, MAINTENANCE AND REPAIR OF COUNTY TUBERCULOSIS HOSPITALS.

Emergency preamble.

Whereas, The deferred operation of this act would cause great inconvenience and embarrassment in the management of county tuberculosis hospitals, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

G. L. 111, § 82, etc., amended.

SECTION 1. Chapter one hundred and eleven of the General Laws, as amended in section eighty-two by section one of chapter three hundred and ninety-three of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section eighty-two and inserting in place thereof the following: — *Section 82.* County commissioners shall, in carrying out sections seventy-eight to ninety, inclusive, raise and expend such sums of money for acquiring land and constructing and equipping hospitals, and for the purchase, alteration and enlargement of existing buildings, and for all other purposes, except for care, maintenance and repair as provided in section eighty-five A, as may be authorized by the general court. They may borrow, on the credit of the county, when so authorized by the general court, the said sums, and issue notes of the county therefor, with such interest as may be fixed under section thirty-nine of chapter thirty-five, payable semi-annually, or without interest, in which case they may sell such notes at such discount as they deem proper. The notes shall be signed by the county treasurer and countersigned by the county commissioners. The county may sell the said securities, at public or private sale, on terms and conditions deemed proper, but the proceeds shall be used only for the purposes for which such securities are issued. Said notes may be renewed from time to time without specific authorization from the general court until all the towns liable have paid to the county treasurer the amounts assessed under section eighty-three. Any amount of interest paid or due on said notes and renewals thereof may be similarly borrowed. All reimbursement from towns under said section eighty-three shall be applied to the payment of temporary debt incurred under this section.

County expenditures for tuberculosis hospitals.

May borrow money, issue notes, etc.

G. L. 111, § 85, amended.

SECTION 2. Section eighty-five of said chapter one hundred and eleven is hereby amended by inserting after the word "thereof" in the third line the words: — , including interest paid or due on temporary notes issued therefor, — so as to read as follows: — *Section 85.* The county shall provide for the care, maintenance and repair of said hospital. The county commissioners shall annually in January apportion the cost thereof, including interest paid or due on temporary notes issued therefor, for the previous year to the towns liable, in the same proportion in which the cost of the construction was assessed, and shall issue their warrant against the towns for the amount or percentage for which they are severally assessed to pay for the maintenance,

Apportionment of cost of county tuberculosis hospitals.

care and repair of said hospital. The county may, thirty days after a written demand for payment, recover in contract against any town liable to pay any part of the cost of construction, maintenance or repair of said hospital the amount for which it may be liable. County commissioners of counties whose patients are cared for by contract under section seventy-nine may raise and expend the sums necessary to carry out the provisions thereof, and may borrow the same on the credit of the county, and issue therefor notes of the county, payable, in not more than eighteen months from their respective dates of issue, from the reimbursements received from the said towns. They shall annually in January determine the total amount already expended by or due from the county under such contracts during the previous year, and shall apportion the same to and may collect the same from the several towns liable, in like manner as the cost of construction and equipment of hospitals is apportioned under section eighty-three, and the same shall be applied to the payment of the temporary debt incurred by said counties.

County commissioners may borrow money for payment of care of patients by contract, etc.

SECTION 3. Said chapter one hundred and eleven is hereby further amended by inserting after section eighty-five the following new section: — *Section 85A.* To provide such funds as may be necessary to meet the cost of the care, maintenance and repair of a county tuberculosis hospital in compliance with section eighty-five, the county commissioners may in any year borrow money on the credit of the county by temporary loans without specific authorization by the general court, and for such purposes, the county treasurer may, with the approval of the county commissioners, issue notes of the county therefor, maturing in not more than twelve months from their dates, and may from time to time renew the same, until all the towns liable to assessment under said section eighty-five have paid to the county treasurer the sums so assessed against them for the aforesaid cost for said year. Receipts of said hospital shall be paid to the county treasurer at such times as the county commissioners may determine, and the proceeds of said loans shall be paid over to the treasurer of said hospital as directed by the county commissioners. Receipts of said hospital for said year and payments to the county of the assessments made under section eighty-five to meet the aforesaid cost for said year shall be applied to the payment of such temporary loans.

G. L. 111, new section after § 85.

County commissioners may borrow money for care, maintenance and repair of county tuberculosis hospitals, etc.

Receipts of hospitals, proceeds of loans, etc., disposition, etc.

Approved March 13, 1923.

AN ACT AUTHORIZING THE CITY OF CHELSEA TO INCUR INDEBTEDNESS FOR PARK, PARKWAY AND PLAYGROUND PURPOSES.

Chap. 114

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring and improving open spaces for parks, parkways and playgrounds, the city of Chelsea may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on

City of Chelsea may borrow money for park, parkway and playground purposes.

Chelsea Park
Loan, Act
of 1923.

their face the words, Chelsea Park Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be outside the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 13, 1923.

Chap.115 AN ACT AUTHORIZING THE CITY OF REVERE TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of Revere
may borrow
money for
school pur-
poses.

SECTION 1. For the purpose of constructing school buildings or an addition to the present high school building increasing the floor space thereof, and of originally equipping and furnishing said buildings or addition, the city of Revere may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Revere School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Revere School
Loan, Act of
1923.

SECTION 2. This act shall take effect upon its passage.

Approved March 13, 1923.

Chap.116 AN ACT REQUIRING INSURANCE AGENTS, BROKERS AND ADJUSTERS TO SURRENDER THEIR LICENSES UPON REVOCATION.

Be it enacted, etc., as follows:

G. L. 175, new
section after
§ 174A, etc.

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section one hundred and seventy-four A, inserted by chapter sixty-nine of the acts of nineteen hundred and twenty-two, the following new section: — *Section 174B.* A person licensed under section one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight or one hundred and seventy-two shall, upon the revocation of his license and upon written demand therefor, and a partnership licensed under section one hundred and seventy-three or a corporation licensed under section one hundred and seventy-four shall, upon the revocation of its license as to all the members of the firm or as to the corporation and upon such demand, forthwith surrender his or its license or the renewal certificate thereof to the commissioner. Such partnership or corporation shall, upon the revocation of its license as to less than all of its members or officers and upon such demand, forthwith surrender its license or renewal certificate to the commissioner, and he shall there-

Insurance
agents, brokers
and adjusters
to surrender
their licenses
upon revoca-
tion.

Amended
license to
issue, when.

upon cancel it, and issue an amended license or renewal certificate covering the remaining partners or other officers of the corporation and running for the unexpired term of the surrendered license or renewal certificate. Demands hereunder may be served as provided in section one hundred and seventy-four A. If the license or renewal certificate has been lost, stolen or destroyed, an affidavit to that effect shall be filed with the commissioner in such form as he may require. Whoever neglects or refuses to comply with this section or knowingly and wilfully makes a false affidavit hereunder shall be punished by a fine of not less than one hundred nor more than five hundred dollars.

Affidavit as to
lost, etc.,
license.
Penalty.

Approved March 13, 1923.

AN ACT PROVIDING THAT THE ATTORNEY GENERAL SHALL BE Chap.117
A MEMBER OF THE BAR.

Be it enacted, etc., as follows:

Section one of chapter twelve of the General Laws is hereby amended by adding at the end thereof the following: — He shall be a member of the bar of the commonwealth, — so as to read as follows: — *Section 1.* There shall be a department of the attorney general, under his supervision and control, organized as provided in this chapter. The attorney general shall receive a salary of eight thousand dollars. He shall be a member of the bar of the commonwealth.

G. L. 12, § 1,
amended.

Department of
attorney gen-
eral.
Salary.

To be member
of the bar.

Approved March 13, 1923.

AN ACT REQUIRING DOMESTIC INSURANCE COMPANIES TO FILE Chap.118
COPIES OF THEIR BY-LAWS AND AMENDMENTS WITH THE COM-
MISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. Every domestic insurance company existing on September first, nineteen hundred and twenty-three shall, within thirty days thereafter, file with the commissioner of insurance a copy of its by-laws and amendments thereto, if any, certified under its corporate seal by its secretary.

Domestic
insurance com-
panies to file
copies of by-
laws, etc., with
commissioner of
insurance.

SECTION 2. Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section forty-six A, inserted by chapter four hundred and seven of the acts of nineteen hundred and twenty-two, the following new section: — *Section 46B.* Every domestic company incorporated after September first, nineteen hundred and twenty-three, shall, within thirty days after its incorporation, file with the commissioner a copy of its by-laws and amendments thereto, if any, certified under its corporate seal by its secretary, and every such company, whether existing on said date or incorporated thereafter, shall, within thirty days after the adoption of any amendment to its by-laws, file with the commissioner a copy of such amendment, certified as above provided.

G. L. 175, new
section after
§ 46A, etc.

Domestic in-
surance com-
panies to file
copies of by-
laws, etc., with
commissioner
of insurance.

Approved March 13, 1923.

Chap.119 AN ACT AUTHORIZING THE ATLANTIC UNION COLLEGE TO GRANT THE DEGREE OF BACHELOR OF THEOLOGY.

Be it enacted, etc., as follows:

Atlantic Union College may grant degree of Bachelor of Theology.

The Atlantic Union College, of Lancaster, is hereby authorized to grant to graduates of its four year college courses, qualified by scholarship and previous college entrance preparation, degrees of Bachelor of Theology. *Approved March 13, 1923.*

Chap.120 AN ACT REPEALING CERTAIN PROVISIONS OF LAW RELATIVE TO MORTGAGES OF DOMESTIC INSURANCE COMPANIES.

Be it enacted, etc., as follows:

Certain law relative to mortgages of domestic insurance companies repealed.

Sections thirty-eight to forty-three, inclusive, of chapter one hundred and seventy-five of the General Laws are hereby repealed. *Approved March 13, 1923.*

Chap.121 AN ACT RELATIVE TO THE MUTUAL TRUST LIFE INSURANCE COMPANY.

Be it enacted, etc., as follows:

Use of present corporate title by Mutual Trust Life Insurance Company.

The provisions of section four of chapter one hundred and seventy-two of the General Laws, as amended by chapter forty-one of the acts of the current year, shall not prohibit the Mutual Trust Life Insurance Company from using its present corporate title within the commonwealth. *Approved March 13, 1923.*

Chap.122 AN ACT AUTHORIZING CITIES AND TOWNS TO PROVIDE HEAD-QUARTERS FOR LOCAL POSTS OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES.

Be it enacted, etc., as follows:

G. L. 40, § 9, etc., amended.

Cities and towns may appropriate money to provide headquarters for posts of The American Legion and of Veterans of Foreign Wars of the United States.

Chapter forty of the General Laws, as amended in section nine by chapter eighty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 9.* A city or town may for the purpose of providing suitable headquarters for a post or posts of The American Legion and of the Veterans of Foreign Wars of the United States, lease for a period not exceeding five years buildings or parts of buildings which shall be under the direction and control of such post or posts, subject to regulations made in cities by the mayor with the approval of the council and in towns by vote of the town, and for said purposes a town with a valuation of less than five million dollars may annually appropriate not more than one thousand dollars; a town with a valuation of five million dollars but not more than twenty million dollars may annually appropriate not more than fifteen hundred dollars; a town with a valuation of twenty million dollars but not more than seventy-five million dollars may annually appropriate not more than two thousand dollars; a town with a valuation of seventy-five million dollars but not more than one hundred fifty million dollars may annually appro-

priate not more than twenty-five hundred dollars; and a town with a valuation of one hundred fifty million dollars or more may annually appropriate twenty-five hundred dollars for each one hundred fifty million dollars of valuation, or fraction thereof. The city council of a city may, by a two thirds vote, appropriate money for armories for the use of the state militia, for the celebration of holidays, for the purpose of providing or defraying the expenses of suitable quarters for posts of the Grand Army of the Republic, including the heating and lighting of such quarters, and for other like public purposes to an amount not exceeding in any one year one fiftieth of one per cent of its valuation for such year.

Cities may appropriate money for armories, etc., and to defray expenses of quarters for posts of Grand Army of the Republic.

Approved March 13, 1923.

AN ACT AUTHORIZING THE BOSTON FIVE CENTS SAVINGS BANK TO ERECT AND PREPARE A SUITABLE BUILDING FOR THE CONVENIENT TRANSACTION OF ITS BUSINESS.

Chap.123

Be it enacted, etc., as follows:

The Boston Five Cents Savings Bank, incorporated by chapter two hundred and thirty-two of the acts of eighteen hundred and fifty-four, approved April seventh of said year, may, subject to the approval of the commissioner of banks, invest in the erection and preparation of a suitable building to be used in whole or in part for the convenient transaction of its business and to be located on land on School street in the city of Boston, now owned by said bank, or on said land and land adjacent thereto, a sum not exceeding eight hundred and sixty thousand dollars in addition to any sums already invested in said land and the buildings thereon; provided, however, that nothing contained herein shall be construed as authorizing a total investment by said bank in real estate for use in whole or in part for the convenient transaction of its business exceeding in the aggregate the sum of two million dollars.

Boston Five Cents Savings Bank may erect, etc., a building for transaction of its business.

Proviso.

Approved March 13, 1923.

AN ACT RELATIVE TO THE TIME WITHIN WHICH NOMINATION PAPERS OF CANDIDATES FOR CITY AND TOWN OFFICES SHALL BE SUBMITTED TO THE REGISTRARS OF VOTERS.

Chap.124

Be it enacted, etc., as follows:

Section seven of chapter fifty-three of the General Laws, as amended by section one of chapter two hundred and fourteen of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "office" in the eleventh line the words:— and, except where otherwise provided by law, of a candidate for a city or town office, — and by striking out, in the fifteenth and sixteenth lines, the words " , and every nomination paper of a candidate for a city or town office shall seasonably be submitted to said registrars", — so as to read as follows:— *Section 7.* Every voter signing a nomination paper shall sign in person, with his name as registered, and shall state his residence on April first preceding, and the place where he is then living, with the street and number, if any; but any voter who is prevented by physical disability from writing or who had the right to vote on May first, eighteen hundred and

G. L. 53, § 7, etc., amended.

Nomination papers, voters to sign in person, to state residence, etc.

Number that voters may sign.
Submission to registrars of voters, time, etc.

Certification of names, etc.

Number of names to be certified, etc.

fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office as there are persons to be elected thereto, and no more. Every nomination paper of a candidate for a state office and, except where otherwise provided by law, of a candidate for a city or town office shall be submitted, on or before five o'clock in the afternoon of the Friday preceding the day on which it must be filed, to the registrars of the city or town where the signers appear to be voters. In each case the registrars shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district or division for which the nomination is made, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination. The registrars need not certify a greater number of names than are required to make a nomination, increased by one fifth thereof. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The state secretary shall not be required to receive nomination papers for a candidate after receiving such papers containing a sufficient number of certified names to make a nomination, increased by one fifth thereof.

Approved March 13, 1923.

Chap. 125 AN ACT PROVIDING THAT FAILURE IN CERTAIN CASES TO MAKE A CLAIM UNDER THE WORKMEN'S COMPENSATION LAWS SHALL NOT BAR PROCEEDINGS THEREUNDER.

Be it enacted, etc., as follows:

G. L. 152, § 49, amended.

Claim for compensation under workmen's compensation laws.

Failure to make a claim not to bar proceedings, etc., when.

Section forty-nine of chapter one hundred and fifty-two of the General Laws is hereby amended by adding at the end thereof the words: — In no case shall failure to make a claim bar proceedings if the insurer has executed an agreement in regard to compensation with the employee or made any payment for compensation under this chapter, — so as to read as follows: — *Section 49.* The claim for compensation shall be in writing, and shall state the time, place, cause and nature of the injury. It shall be signed by the person injured, or, in the event of his death, by his legal representative, or by a person to whom payments may be due, or by a person in behalf of any of them, and shall be filed with the department. A claim for compensation shall not be held invalid or insufficient by reason of any inaccuracy in stating the time, place, cause or nature of the injury unless it is shown that it was the intention to mislead and that the insurer was in fact misled thereby. Failure to make a claim within the time fixed by section forty-one shall not bar proceedings under this chapter if it is found that it was occasioned by mistake or other reasonable cause, or if it is found that the insurer was not prejudiced by the delay. In no case shall failure to make a claim bar proceedings if the insurer has executed an agreement in regard to compensation with the employee or made any payment for compensation under this chapter.

Approved March 13, 1923.

AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, AND FOR CERTAIN PERMANENT IMPROVEMENTS. Chap. 126

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions therein specified, are hereby appropriated from the general fund or revenue of the commonwealth unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending November thirtieth, nineteen hundred and twenty-three, or for such other period as may be specified.

SECTION 2.

Service of the Legislative Department.

Item			Legislative Department.
1	For the compensation of senators, the sum of sixty-one thousand five hundred dollars	\$61,500 00	
2	For the compensation for travel of senators, a sum not exceeding fifty-four hundred dollars	5,400 00	
3	For the compensation of representatives, the sum of three hundred sixty-one thousand five hundred dollars	361,500 00	
4	For the compensation for travel of representatives, a sum not exceeding thirty-two thousand dollars	32,000 00	
5	For the salaries of William H. Sanger, clerk of the senate, and James W. Kimball, clerk of the house of representatives, the sum of ninety-five hundred dollars	9,500 00	
6	For the salaries of Irving N. Hayden, assistant clerk of the senate, and Frank E. Bridgman, assistant clerk of the house of representatives, the sum of six thousand dollars	6,000 00	
7	For such additional clerical assistance to, and with the approval of, the clerk of the senate, as may be necessary for the proper despatch of public business, a sum not exceeding fifteen hundred dollars	1,500 00	
8	For such additional clerical assistance to, and with the approval of, the clerk of the house of representatives, as may be necessary for the proper despatch of public business, a sum not exceeding four thousand dollars	4,000 00	
9	For the salary of the sergeant-at-arms, a sum not exceeding thirty-five hundred dollars	3,500 00	
10	For clerical assistance, office of the sergeant-at-arms, a sum not exceeding forty-four hundred and forty dollars	4,440 00	
11	For compensation for travel of doorkeepers, assistant doorkeepers, messengers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same, a sum not exceeding forty-six hundred and sixty dollars	4,660 00	

Appropriations for maintenance of departments, etc., and interest, sinking fund and bond requirements, and certain improvements.

Legislative Department.	Item		
	12	For the salaries of the doorkeepers of the senate and house of representatives, and the postmaster, with the approval of the sergeant-at-arms, a sum not exceeding sixty-four hundred dollars . . .	\$6,400 00
	13	For the salaries of assistant doorkeepers and messengers to the senate and house of representatives, with the approval of the sergeant-at-arms, a sum not exceeding forty thousand six hundred dollars . . .	40,600 00
	14	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, a sum not exceeding seventy-two hundred dollars . . .	7,200 00
	15	For the salaries of clerks employed in the legislative document room, a sum not exceeding forty-three hundred and fifty dollars . . .	4,350 00
	16	For certain other persons employed by the sergeant-at-arms, in and about the chambers and rooms of the legislative department, a sum not exceeding twenty-five hundred dollars . . .	2,500 00
	17	For the salaries of the chaplains of the senate and house of representatives, the sum of fifteen hundred dollars . . .	1,500 00
	18	For personal services of the counsel to the senate and assistants, a sum not exceeding twelve thousand two hundred dollars . . .	12,200 00
	19	For personal services of the counsel to the house of representatives and assistants, a sum not exceeding twelve thousand six hundred dollars . . .	12,600 00
	20	For clerical and other assistance of the senate committee on rules, a sum not exceeding thirty-five hundred dollars . . .	3,500 00
	21	For clerical and other assistance of the house committee on rules, a sum not exceeding thirty-two hundred dollars . . .	3,200 00
	22	(This item omitted.) . . .	
	23	For authorized traveling and other expenses of the committees of the present general court, with the approval of a majority of the committee incurring the same, a sum not exceeding six thousand dollars . . .	6,000 00
	24	For expenses of advertising hearings of the committees of the present general court, including expenses of preparing and mailing advertisements to the various newspapers, with the approval of the comptroller of the commonwealth, a sum not exceeding six hundred dollars . . .	600 00
	25	For expenses of summoning witnesses, and for fees of such witnesses, with the approval of the sergeant-at-arms, a sum not exceeding one hundred dollars . . .	100 00
	26	For printing and binding ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, a sum not exceeding sixty-two thousand four hundred dollars . . .	62,400 00
	27	For printing and binding the manual for the general court, under the direction and with the approval of the clerks of the senate and house of representatives, a sum not exceeding seventy-two hundred dollars . . .	7,200 00
	28	For expenses in connection with the publication of the bulletin of committee hearings, with the approval of the joint committee on rules, a sum not exceeding fifteen thousand dollars . . .	15,000 00
	29	For stationery for the senate, purchased by and with the approval of the clerk, a sum not exceeding seven hundred dollars . . .	700 00

Item			
30	For office expenses of the counsel to the senate, a sum not exceeding one hundred dollars . . .	\$100 00	Legislative Department.
31	For stationery for the house of representatives, purchased by and with the approval of the clerk, a sum not exceeding fifteen hundred dollars . . .	1,500 00	
32	For office expenses of the counsel to the house of representatives, a sum not exceeding one hundred dollars . . .	100 00	
33	For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, a sum not exceeding nineteen thousand one hundred dollars . . .	19,100 00	
34	For the purchase of outline sketches of members of the senate and house of representatives, a sum not exceeding twelve hundred dollars . . .	1,200 00	
35	For reprinting the state house guide book, a sum not exceeding eighteen hundred dollars . . .	1,800 00	
	Total	\$703,850 00	

Service of the Judicial Department.

Supreme Judicial Court, as follows:

36	For the salaries of the chief justice and of the six associate justices, a sum not exceeding seventy thousand five hundred dollars . . .	\$70,500 00	Judicial Department. Supreme Judicial Court.
37	For traveling allowance and expenses, a sum not exceeding forty-five hundred dollars . . .	4,500 00	
38	For the pensions of retired justices, a sum not exceeding twenty-two thousand five hundred dollars . . .	22,500 00	
39	For the salary of the clerk for the commonwealth, a sum not exceeding sixty-five hundred dollars . . .	6,500 00	
40	For clerical assistance to the clerk, a sum not exceeding one thousand dollars . . .	1,000 00	
41	For clerical and stenographic services for the justices, a sum not exceeding nineteen thousand dollars . . .	19,000 00	
42	For office supplies, services and equipment of the supreme judicial court, a sum not exceeding twenty-five hundred dollars . . .	2,500 00	
43	For the salaries of the officers and messengers, a sum not exceeding three thousand and forty dollars . . .	3,040 00	
44	For the salary of the clerk for the county of Suffolk, a sum not exceeding fifteen hundred dollars . . .	1,500 00	

Reporter of Decisions:

45	For the salary of the reporter of decisions, a sum not exceeding six thousand dollars . . .	6,000 00	Reporter of Decisions.
46	For clerk hire and office supplies, services and equipment, a sum not exceeding eight thousand dollars . . .	8,000 00	

Pension:

47	For the pension of Michael F. Meagher, as authorized by chapter two hundred and sixty-seven of the acts of nineteen hundred and twenty-two, a sum not exceeding two hundred dollars . . .	200 00	Pension. Michael F. Meagher.
	Total	\$145,240 00	

Superior Court, as follows:

48	For the salaries of the chief justice and of the twenty-nine associate justices, a sum not exceeding two hundred ninety-six thousand dollars . . .	\$296,000 00	Superior Court.
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	Item	
Superior Court.	49	For traveling allowance and expenses, a sum not exceeding sixteen thousand dollars . . . \$16,000 00
	50	For the salary of the assistant clerk, Suffolk county, a sum not exceeding one thousand dollars . . . 1,000 00
	51	For printing, transportation of papers and documents, and office supplies, services and equipment, a sum not exceeding fifteen hundred dollars . . . 1,500 00
	52	For pensions of retired justices, a sum not exceeding twenty-four thousand three hundred and seventy-five dollars . . . 24,375 00
		Total . . . \$338,875 00
Administrative Committee of District Courts.		Administrative Committee of District Courts:
	52½	For compensation and expenses of the administrative committee of district courts, a sum not exceeding forty-five hundred dollars . . . \$4,500 00
Probate and Insolvency Courts.		Probate and Insolvency Courts, as follows:
	53	For the salaries of judges of probate of the several counties, a sum not exceeding eighty-six thousand five hundred dollars . . . \$86,500 00
	54	For pensions of retired justices, a sum not exceeding fourteen thousand one hundred and seventy-five dollars . . . 14,175 00
	55	For the compensation of judges of probate when acting outside of their own county for other judges of probate, a sum not exceeding two thousand dollars . . . 2,000 00
	56	For the salaries of registers of the several counties, a sum not exceeding fifty-two thousand six hundred dollars . . . 52,600 00
	57	For the salaries of assistant registers, a sum not exceeding fifty-two thousand two hundred and thirty dollars . . . 52,230 00
		Total . . . \$207,505 00
Registers of Probate and Insolvency, clerical assistance.		For clerical assistance to Registers of the several counties, as follows:
	58	Barnstable, a sum not exceeding one thousand dollars . . . \$1,000 00
	59	Berkshire, a sum not exceeding sixteen hundred and fifty dollars . . . 1,650 00
	60	Bristol, a sum not exceeding eighty-three hundred dollars . . . 8,300 00
	61	Dukes county, a sum not exceeding five hundred dollars . . . 500 00
	62	Essex, a sum not exceeding eleven thousand two hundred dollars . . . 11,200 00
	63	Franklin, a sum not exceeding eight hundred dollars . . . 800 00
	64	Hampden, a sum not exceeding seventy-three hundred dollars . . . 7,300 00
	65	Hampshire, a sum not exceeding twelve hundred dollars . . . 1,200 00
	66	Middlesex, a sum not exceeding twenty-six thousand three hundred and thirty dollars . . . 26,330 00
	67	Norfolk, a sum not exceeding sixty-three hundred and twenty-five dollars . . . 6,325 00
	68	Plymouth, a sum not exceeding twenty-one hundred and ninety-two dollars . . . 2,192 00

Item			
69	Suffolk, a sum not exceeding forty-five thousand eight hundred dollars	\$45,800 00	Registers of Probate and Insolvency, clerical assistance.
70	Worcester, a sum not exceeding eleven thousand two hundred dollars	11,200 00	
	Total	\$123,797 00	

District Attorneys, as follows:

			District Attorneys.
71	For the salaries of the district attorney and assistants for the Suffolk district, a sum not exceeding thirty-eight thousand six hundred and fifty dollars	\$38,650 00	
72	For the salaries of the district attorney and assistants for the northern district, a sum not exceeding fourteen thousand seven hundred and fifty dollars	14,750 00	
73	For the salaries of the district attorney and assistants for the eastern district, a sum not exceeding ten thousand two hundred and fifty dollars	10,250 00	
74	For the salaries of the district attorney, deputy district attorney and assistants for the south-eastern district, a sum not exceeding thirteen thousand two hundred and fifty dollars	13,250 00	
75	For the salaries of the district attorney and assistants for the southern district, a sum not exceeding eighty-two hundred dollars	8,200 00	
76	For the salaries of the district attorney and assistants for the middle district, a sum not exceeding ten thousand two hundred and fifty dollars	10,250 00	
77	For the salaries of the district attorney and assistants for the western district, a sum not exceeding sixty-one hundred and fifty dollars	6,150 00	
78	For the salary of the district attorney for the north-western district, a sum not exceeding two thousand dollars	2,000 00	
79	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, a sum not exceeding six thousand dollars	6,000 00	
	Total	\$109,500 00	

Service of the Land Court.

			Land Court.
80	For salaries of the judge, associate judge, the recorder and court officer, a sum not exceeding twenty-eight thousand six hundred dollars	\$28,600 00	
81	For engineering, clerical and other personal services, a sum not exceeding twenty thousand four hundred and ten dollars	20,410 00	
82	For personal services in the examination of titles, for publishing and serving citations and other services, traveling expenses, supplies and office equipment, and for the preparation of sectional plans showing registered land, a sum not exceeding thirty-two thousand seven hundred and twenty-five dollars	32,725 00	
	Total	\$81,735 00	

Service of the Commission on Probation.

			Commission on Probation.
83	For personal services of the deputy commissioner, clerks and stenographers, a sum not exceeding eleven thousand nine hundred dollars	\$11,900 00	

Commission on Probation.	Item		
	84	For service other than personal, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding twenty-six hundred dollars	\$2,600 00
	Total		\$14,500 00

Service of the Board of Bar Examiners.

Board of Bar Examiners.	85	For personal services of the members of the board, a sum not exceeding sixty-three hundred dollars	\$6,300 00
	86	For other services, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding twenty-five hundred and fifty dollars	2,550 00
	Total		\$8,850 00

Service of the Executive Department.

Executive De- partment.	87	For the salary of the governor, the sum of ten thousand dollars	\$10,000 00
	88	For the salary of the lieutenant governor, the sum of four thousand dollars	4,000 00
	89	For the salaries of the eight councillors, the sum of eight thousand dollars	8,000 00
	90	For the salaries of officers and employees of the department, a sum not exceeding twenty-one thousand two hundred and sixteen dollars	21,216 00
	91	For travel and expenses of the lieutenant governor and council from and to their homes, a sum not exceeding one thousand dollars	1,000 00
	92	For postage, printing, office and other contingent expenses, including travel, of the governor, a sum not exceeding eleven thousand dollars	11,000 00
	93	For postage, printing, stationery, traveling and contingent expenses of the governor and council, a sum not exceeding thirty-five hundred dollars	3,500 00
	94	For expenses incurred in the arrest of fugitives from justice, a sum not exceeding one thousand dollars	1,000 00
	95	For payment of extraordinary expenses and for transfers made to cover deficiencies, with the approval of the governor and council, a sum not exceeding one hundred thousand dollars	100,000 00
	96	For the purchase of a portrait of a former governor, as authorized by section nineteen of chapter eight of the General Laws, a sum not exceeding three thousand dollars	3,000 00
	Total		\$162,716 00

Service of the Adjutant General.

Adjutant General.	97	For the salary of the adjutant general, a sum not exceeding forty-one hundred dollars	\$4,100 00
	98	For the personal services of office assistants, a sum not exceeding thirty-nine thousand dollars	39,000 00
	99	For services other than personal, printing the annual report, and for necessary office supplies and expenses, a sum not exceeding ten thousand five hundred dollars	10,500 00
	100	For expenses not otherwise provided for in connection with military matters and accounts, a sum not exceeding ninety-one hundred dollars	9,100 00

Item			Adjutant General.
101	For premium on bonds for officers, a sum not exceeding six hundred dollars	\$600 00	
102	For automobile for the commander-in-chief, a sum not exceeding fifty-two hundred dollars	5,200 00	
103	For expenses of maintenance and operation of automobiles for any use directed by the governor or adjutant general, a sum not exceeding forty-five hundred dollars	4,500 00	
Total		\$73,000 00	

Service of Reorganized Militia.

			Reorganized Militia.
104	For allowances to companies and other administrative units, a sum not exceeding one hundred forty-three thousand dollars	\$143,000 00	
105	For pay and transportation of certain boards, a sum not exceeding six thousand dollars	6,000 00	
106	For pay and expenses of certain camps of instruction, a sum not exceeding six thousand dollars	6,000 00	
107	For pay and transportation in making inspections and surveys and for escort duty, a sum not exceeding six thousand dollars	6,000 00	
108	For transportation of officers and non-commissioned officers for attendance at military meetings, a sum not exceeding seven thousand dollars	7,000 00	
109	For transportation to and from regimental and battalion drills, a sum not exceeding seven thousand dollars	7,000 00	
110	For transportation when appearing for examination, a sum not exceeding seven hundred dollars	700 00	
111	For expenses of rifle practice, a sum not exceeding twenty-two thousand dollars	22,000 00	
112	For compensation, transportation and expenses in the preparation for camp duty maneuvers, a sum not exceeding twenty-eight thousand five hundred dollars	28,500 00	
113	For maintenance of horses, a sum not exceeding twenty-eight thousand two hundred dollars	28,200 00	
114	For expense of maintaining and operating certain trucks, a sum not exceeding twenty-five hundred dollars	2,500 00	
115	For compensation for special and miscellaneous duty, a sum not exceeding twelve thousand dollars	12,000 00	
116	For transportation and other expenses of the United States instructors, a sum not exceeding three hundred dollars	300 00	
117	For compensation for accidents and injuries sustained in the performance of military duty, a sum not exceeding five thousand dollars	5,000 00	
118	For reimbursement for death and injuries to horses, a sum not exceeding five hundred dollars	500 00	
119	For expenses of organizing and maintaining an aero squadron, a sum not exceeding four thousand dollars	4,000 00	
Total		\$278,700 00	

Service of the Property and Disbursing Officer.

120	For clerical services and other expenses for the office of the property and disbursing officer, a sum not exceeding fifty-nine hundred dollars	\$5,900 00	Property and Disbursing Officer.
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Mexican Border Service.

Item			
Mexican Border Service, certificates of honor.	121	For the expense of furnishing certificates of honor for service on the Mexican border, as authorized by law, a sum not exceeding one hundred and fifty dollars, the same to be in addition to any sum heretofore appropriated for the purpose . . .	\$150 00

Service of Special Military Expenses.

Special Military Expenses.	122	For expense of testimonials to soldiers and sailors of the world war, to be expended under the direction of the adjutant general, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$3,500 00
	123	For the compilation of records of soldiers and sailors who served during the Philippine insurrection, to be expended under the direction of the adjutant general, a sum not exceeding fifteen hundred dollars . . .	1,500 00
Total			\$5,000 00

Service for the Publication of Records of Massachusetts Soldiers and Sailors of the Civil War.

Publication of Records of Massachusetts Soldiers and Sailors of Civil War.	124	For services for the publication of records of Massachusetts soldiers and sailors who served in the civil war, a sum not exceeding seventy-one hundred dollars . . .	\$7,100 00
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Service of the Chief Quartermaster.

Chief Quartermaster.	125	For personal services of the chief quartermaster, superintendent of armories and superintendent of arsenal, a sum not exceeding sixty-eight hundred dollars . . .	\$6,800 00
	126	For personal services of other employees of the chief quartermaster, a sum not exceeding fourteen thousand eight hundred dollars . . .	14,800 00
	127	For expert assistance, the employment of which may be exempt from civil service rules, in the disbursement of certain money to the officers and enlisted men of the militia for compensation and allowances, a sum not exceeding twelve hundred dollars . . .	1,200 00
	128	For the salaries of armorers and assistant armorers of first-class armories, a sum not exceeding one hundred thirteen thousand five hundred dollars . .	113,500 00
	129	For certain incidental military expenses of the quartermaster's department, a sum not exceeding two thousand dollars . . .	2,000 00
	130	For office and general supplies and equipment, a sum not exceeding seven thousand dollars . . .	7,000 00
	131	For the care and maintenance of the camp ground and buildings at Framingham, a sum not exceeding two thousand dollars . . .	2,000 00
	132	For the maintenance of armories of the first class, a sum not exceeding one hundred fifty thousand dollars . . .	150,000 00
	133	For reimbursement for rent and maintenance of armories of the second class, a sum not exceeding three thousand dollars . . .	3,000 00
	134	For reimbursement for rent and maintenance of armories of the third class, a sum not exceeding fifty-four hundred dollars . . .	5,400 00

Item			
135	For an allowance for a mechanic for each battery of field artillery, a sum not exceeding thirteen thousand six hundred dollars	\$13,600 00	Chief Quarter-master.
136	For the rental of stables, including water and certain other incidental services, for the housing of horses and mules, a sum not exceeding eleven thousand seven hundred dollars	11,700 00	
	Total	\$331,000 00	

Service of the Chief Surgeon.

137	For personal services of the chief surgeon and regular assistants, a sum not exceeding six thousand dollars	\$6,000 00	Chief Surgeon.
138	For services other than personal, and for necessary medical and office supplies and equipment, a sum not exceeding three thousand dollars	3,000 00	
139	For the examination of recruits, a sum not exceeding eight thousand dollars	8,000 00	
	Total	\$17,000 00	

Service of the Commission on Administration and Finance.

140	For personal services of the commission, a sum not exceeding twenty-five thousand seven hundred and twenty-five dollars	\$25,725 00	Commission on Administration and Finance.
141	For personal services of assistants and employees, a sum not exceeding one hundred nine thousand dollars	109,000 00	
142	For other expenses incidental to the duties of the commission, a sum not exceeding ten thousand dollars	10,000 00	
	Total	\$144,725 00	

142½	For a general supply account, as provided by section ten of chapter five hundred and forty-five of the acts of nineteen hundred and twenty-two, to cover the initial payment in certain cases where collective buying is likely to produce saving, a sum not exceeding twenty-five thousand dollars, said amount to be used for the purchase of such commodities as are commonly used in a large number of departments and institutions, and to be expended with the approval of the commission on administration and finance	\$25,000 00	General supply account.
143	For the purchase of paper used in the execution of the contract for the state printing, with the approval of the commission on administration and finance, a sum not exceeding one hundred ten thousand dollars	\$110,000 00	Purchase of paper.

Service of the Armory Commission.

144	For compensation of members, a sum not exceeding twenty-three hundred dollars	\$2,300 00	Armory Commission.
145	For office and traveling expenses, a sum not exceeding three hundred dollars	300 00	
146	For the purchase of land and construction of an armory in the city of Quincy, by the armory commission, a sum not exceeding sixty-five thousand dollars, the same to be in addition to the amount appropriated in nineteen hundred and twenty-two	65,000 00	

	Item		
Armory Commission.	147	For the purchase of lockers and certain furniture, a sum not exceeding ten thousand dollars, the same to be in addition to the amount appropriated in nineteen hundred and twenty-two	\$10,000 00
		Total	\$77,600 00

*Service of the Board of Appeal from Decisions of the
Commissioner of Corporations and Taxation.*

Board of Appeal, etc.	148	For expenses of the board, a sum not exceeding two hundred dollars	\$200 00
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Service of the Commissioner of State Aid and Pensions.

Commissioner of State Aid and Pensions.	149	For personal services of the commissioner and deputy, a sum not exceeding sixty-seven hundred dollars	\$6,700 00
	150	For personal services of agents, clerks, stenographers and other assistants, a sum not exceeding thirty thousand nine hundred dollars	30,900 00
	151	For services other than personal, including printing the annual report, traveling expenses of the commissioner and his employees, and necessary office supplies and equipment, a sum not exceeding forty-one hundred and fifty dollars	4,150 00
		Total	\$41,750 00

For Expenses on Account of Wars.

Expenses on Account of Wars.	152	For reimbursing cities and towns for money paid on account of state and military aid to Massachusetts soldiers and their families, the sum of four hundred forty-seven thousand dollars, the same to be paid on or before the fifteenth day of November in the year nineteen hundred and twenty-three, in accordance with the provisions of existing laws relative to state and military aid	\$447,000 00
Reimbursement of cities and towns for state and military aid, etc.			
Reimbursement for funeral expenses for certain soldiers.	153	For reimbursement for funeral expenses for certain soldiers, as authorized by chapter three hundred and seventy-eight of the acts of nineteen hundred and twenty-two, a sum not exceeding twenty-five thousand dollars	25,000 00
Massachusetts Soldiers' Home.	154	For the maintenance of the Massachusetts Soldiers' Home, with the approval of the trustees thereof, a sum not exceeding one hundred eighty-seven thousand dollars	187,000 00
	154½	For additional fire protection, including the placing of metal doors and other repairs in the fire walls in the main dormitory building, and the installation of a sprinkler system wherever needed, a sum not exceeding twenty-five thousand dollars	25,000 00
Grand Army of the Republic of the Department of Massachusetts.	155	For the Grand Army of the Republic of the Department of Massachusetts, the sum of one thousand dollars, as authorized by chapter fifteen of the resolves of nineteen hundred and twenty-one	1,000 00
		Total	\$685,000 00

Service of the Art Commission.

Art Commission.	156	For expenses of the commission, a sum not exceeding one hundred dollars	\$100 00
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Service of the Commission on Uniform State Laws.

Item			
157	For expenses, for the current fiscal year, of the commissioners on uniform state laws, a sum not exceeding seven hundred and fifty dollars . . .	\$750 00	Commissioners on Uniform State Laws.

Service of the State Library.

158	For personal services of the librarian, a sum not exceeding five thousand dollars . . .	\$5,000 00	State Library.
159	For personal services of the regular library assistants, temporary clerical assistance and for services for cataloguing, a sum not exceeding twenty-eight thousand one hundred dollars . . .	28,100 00	
160	For services other than personal, including printing the annual report, office supplies and equipment, and incidental traveling expenses, a sum not exceeding twenty-nine hundred dollars . . .	2,900 00	
161	For books and other publications and things needed for the library, and the necessary binding and re-binding incidental thereto, a sum not exceeding thirteen thousand five hundred dollars . . .	13,500 00	
Total		\$49,500 00	

Service of the Superintendent of Buildings.

162	For personal services of the superintendent and office assistants, a sum not exceeding twelve thousand three hundred and sixty dollars . . .	\$12,360 00	Superintendent of Buildings.
163	For personal services of engineers, assistant engineers, firemen and helpers in the engineer's department, a sum not exceeding fifty-four thousand five hundred dollars . . .	54,500 00	
164	For personal services of watchmen and assistant watchmen, a sum not exceeding thirty-eight thousand seven hundred dollars . . .	38,700 00	
165	For personal services of porters, a sum not exceeding twenty-two thousand two hundred dollars . . .	22,200 00	
166	For other personal services incidental to the care and maintenance of the state house, a sum not exceeding fourteen thousand dollars . . .	14,000 00	
Total		\$141,760 00	

Other Annual Expenses.

167	For contingent, office and other expenses of the superintendent, a sum not exceeding eleven hundred dollars . . .	\$1,100 00	Other Annual Expenses.
168	For telephone service in the building, and expenses in connection therewith, a sum not exceeding thirty-seven thousand dollars . . .	37,000 00	
169	For services, supplies and equipment necessary to furnish heat, light and power, a sum not exceeding forty-four thousand dollars . . .	44,000 00	
170	For other services, supplies and equipment necessary for the maintenance and care of the state house and grounds, including repairs of furniture and equipment, a sum not exceeding ninety-one thousand dollars . . .	91,000 00	
Total		\$173,100 00	

For the Maintenance of the Old State House.

	Item		
Old State House, maintenance.	171	For the contribution of the commonwealth toward the maintenance of the old provincial state house, the sum of fifteen hundred dollars	\$1,500 00

Service of the Fuel Administrator.

Fuel Administrator.	172	For expenditures of a fuel administrator, as authorized by chapter five hundred and forty-four of the acts of nineteen hundred and twenty-two, a sum not exceeding ten thousand dollars, the same to be in addition to the amount appropriated in nineteen hundred and twenty-two	\$10,000 00
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Service of the Commission to Destroy Obsolete and Worthless Records, Books and Documents.

Commission to Destroy Obsolete Records, etc.	173	For services and expenses of the commission, a sum not exceeding fifty dollars	\$50 00
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Service of the Secretary of the Commonwealth.

Secretary of the Commonwealth.	174	For the salary of the secretary, the sum of six thousand dollars	\$6,000 00
	175	For the salaries of officers and employees holding positions established by law, and other personal services, a sum not exceeding ninety-one thousand dollars	91,000 00
	176	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding thirteen thousand dollars	13,000 00
	177	For postage and expressage on public documents, and for mailing copies of bills and resolves to certain state, city and town officials, a sum not exceeding forty-five hundred dollars	4,500 00
	178	For the arrangement and preservation of state records and papers, a sum not exceeding one thousand dollars	1,000 00
	179	For printing registration books and blanks and indexing returns, a sum not exceeding fifty-six hundred dollars	5,600 00
	180	For the purchase of copies of certain town records prior to eighteen hundred and fifty, a sum not exceeding seven thousand dollars	7,000 00
	181	For purchase of copies of the history of certain regiments in the civil war and in the world war, a sum not exceeding two thousand dollars	2,000 00
	182	For the purchase of certain supplies and equipment, and for other things necessary in connection with the reproduction of the manuscript collection designated "Massachusetts Archives", a sum not exceeding thirty-one hundred dollars	3,100 00
	183	For the purchase and distribution of copies of certain journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, as authorized by chapter four hundred and thirteen of the acts of nineteen hundred and twenty, a sum not exceeding seven hundred and fifty dollars	750 00

Total	\$133,950 00
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Item		
	For indexing vital statistics:	
184	For the preparation of certain indexes of births, marriages and deaths, a sum not exceeding ten thousand dollars, the same to be in addition to the amount appropriated in the preceding year .	Indexing vital statistics. \$10,000 00
	For printing laws, etc.:	
185	For printing the pamphlet edition of the acts and resolves of the present year, a sum not exceeding eight thousand dollars	Printing laws, etc. \$8,000 00
186	For the printing of a cumulative index to the acts and resolves, a sum not exceeding fourteen hundred dollars	1,400 00
187	For printing and binding the blue book edition of the acts and resolves of the present year, a sum not exceeding fifteen thousand dollars	15,000 00
188	For the purchase of reports of decisions of the supreme judicial court, a sum not exceeding forty-five hundred dollars	4,500 00
189	For printing and binding public documents, a sum not exceeding twenty thousand dollars	20,000 00
	Total	\$48,900 00
	For matters relating to elections:	
190	For personal and other services necessary for preparing and printing ballots for the primary elections, a sum not exceeding one thousand dollars	Election matters. \$1,000 00
191	For the printing and distribution of ballots, a sum not exceeding one thousand dollars	1,000 00
192	For the printing of blanks for town officers, election laws and blanks and instructions on all matters relating to elections, a sum not exceeding three thousand dollars	3,000 00
193	For furnishing cities and towns with ballot boxes, and for repairs to the same, a sum not exceeding three thousand dollars	3,000 00
194	For expenses of publication of lists of candidates and forms of questions before state elections, a sum not exceeding five hundred dollars	500 00
195	For the purchase of apparatus to be used at polling places in the canvass and counting of votes, a sum not exceeding five hundred dollars	500 00
196	For the printing, for the use of cities and towns, of registers of voters, a sum not exceeding one thousand dollars	1,000 00
	Total	\$10,000 00
	Supervisor of Public Records:	
197	For personal services of the supervisor, a sum not exceeding three thousand dollars	Supervisor of Public Records. \$3,000 00
198	For the purchase of ink for public records of the commonwealth, a sum not exceeding one thousand dollars	1,000 00
199	For traveling expenses of the supervisor of public records, a sum not exceeding thirteen hundred dollars	1,300 00
	Total	\$5,300 00
	Summer Census:	
200	For personal services and expense of taking a special census in towns having an increased resident population during the summer months, to be covered by assessments upon the towns in which the work is done, a sum not exceeding five hundred dollars	Summer Census. \$500 00

	Item		
Decennial Census.		Decennial Census:	
	201	For personal services of the census division of the department of the secretary of the commonwealth, a sum not exceeding forty-eight hundred dollars	\$4,800 00
	202	For expenses of the census division of the department of the secretary of the commonwealth, a sum not exceeding five hundred dollars	500 00
	Total		\$5,300 00
Medical Examiners' fees.		Medical Examiners' fees:	
	203	For medical examiners' fees, as provided by law, a sum not exceeding one thousand dollars	\$1,000 00
<i>Service of the Treasurer and Receiver-General.</i>			
Treasurer and Receiver-General.	204	For the salary of the treasurer and receiver-general, the sum of six thousand dollars	\$6,000 00
	205	For salaries of officers and employees holding positions established by law and additional clerical and other assistance, a sum not exceeding forty-two thousand nine hundred and seventy dollars	42,970 00
	206	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding eight thousand and ninety dollars	8,090 00
	207	For the expenses of administering chapter two hundred and eleven of the General Acts of nineteen hundred and seventeen, a sum not exceeding twenty-five hundred and twenty dollars, to be paid from the receipts from taxes levied under authority of chapters two hundred and eighty-three and three hundred and forty-two of the General Acts of nineteen hundred and nineteen	2,520 00
	Total		\$59,580 00
Commissioners on Firemen's Relief.		Commissioners on Firemen's Relief:	
	208	For relief disbursed, with the approval of the commissioners on firemen's relief, subject to the provisions of law, a sum not exceeding seventeen thousand five hundred dollars	\$17,500 00
	209	For expenses of administration by the commissioners on firemen's relief, a sum not exceeding five hundred dollars	500 00
	209½	For reimbursement of relief disbursed, a sum not exceeding two thousand dollars, the same resulting from a failure to file vouchers seasonably in order to have the same charged against the appropriation of the year nineteen hundred and nineteen	2,000 00
Total		\$20,000 00	
Payments to soldiers.		Payments to soldiers:	
	210	For personal services and other expenses in administering the provisions of chapter two hundred and eighty-three of the General Acts of nineteen hundred and nineteen, relative to suitable recognition of residents of Massachusetts serving in the army or navy of the United States during the war with Germany, a sum not exceeding seventy-nine hundred dollars, the same to be payable from the receipts from taxes levied under said chapter and chapter three hundred and forty-two of the General Acts of nineteen hundred and nineteen, the same to be in addition to any amount heretofore appropriated for the purpose	\$7,900 00

Item		
211	For payments to persons in the military service authorized by chapter two hundred and eleven of the General Acts of nineteen hundred and seventeen, a sum not exceeding fifteen thousand dollars, to be paid from the receipts from taxes levied under authority of chapters two hundred and eighty-three and three hundred and forty-two of the General Acts of nineteen hundred and nineteen	Payments to persons in the military service. \$15,000 00
	Total	\$22,900 00
State Board of Retirement:		
212	For personal services in the administrative office of the state board of retirement, a sum not exceeding seventy-eight hundred dollars	State Board of Retirement. \$7,800 00
213	For services other than personal, printing the annual report, and for office supplies and equipment, a sum not exceeding thirty-eight hundred and fifty dollars	3,850 00
214	For requirements of annuity funds and pensions for employees retired from the state service under authority of law, a sum not exceeding ninety-seven thousand dollars	97,000 00
	Total	\$108,650 00
<i>Requirements for Extinguishing the State Debt.</i>		
215	For sinking fund requirements and for certain serial bonds maturing during the present year, the sum of one million four hundred twenty-nine thousand seven hundred twenty-seven dollars and seventy-four cents, of which sum thirty-six thousand six hundred twenty-seven dollars and twenty-seven cents for serial bonds for state house construction shall be paid from the balance now in the treasury of the proceeds of the last loan for said purpose; two hundred and fifty thousand dollars for the development of the port of Boston loan shall be paid from the balance of the proceeds of the sale of the Boston dry dock out of the appropriation made by section four of chapter two hundred and twenty-five of the acts of nineteen hundred and twenty, and sixty thousand dollars for serial bonds for the harbor improvement loan shall be paid from the unexpended balance now in the treasury of the proceeds of said loan	Requirements for Extinguishing State Debt. \$1,429,727 74
<i>Interest Requirements.</i>		
216	For the payment of interest on the direct debt and temporary loans of the commonwealth, a sum not exceeding one million seven hundred and fifteen thousand dollars	Interest Requirements. \$1,715,000 00
<i>Service of the Auditor of the Commonwealth.</i>		
217	For the salary of the auditor, a sum not exceeding six thousand dollars	Auditor of the Commonwealth. \$6,000 00
218	For personal services of deputies and other assistants, including the amount of the December pay roll for nineteen hundred and twenty-two for all employees then in the auditor's office, but later transferred to the bureau of the comptroller, a sum not exceeding thirty-five thousand dollars	35,000 00

	Item		
Auditor of the Commonwealth.	219	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding six thousand dollars	\$6,000 00
		Total	\$47,000 00
<i>Unclassified Accounts and Claims.</i>			
Unclassified Accounts and Claims.	220	For the compensation of veterans of the civil war and certain others formerly in the service of the commonwealth, now retired, a sum not exceeding seventy-seven thousand dollars	\$77,000 00
	221	For the compensation of any veteran who may be retired by the governor under the provisions of sections fifty-six to sixty, inclusive, of chapter thirty-two of the General Laws, a sum not exceeding seven hundred and fifty dollars	750 00
	222	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, and now retired, a sum not exceeding twenty-six thousand four hundred dollars	26,400 00
	223	For the compensation of state police officers formerly in the service of the commonwealth, and now retired, a sum not exceeding eighty-three hundred dollars	8,300 00
	224	For the compensation of certain women formerly employed by the sergeant-at-arms in cleaning the state house, and now retired, a sum not exceeding twenty-four hundred dollars	2,400 00
		Total	\$114,850 00
For certain other aid:			
Certain other aid.	225	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, a sum not exceeding twenty-five thousand dollars	\$25,000 00
	226	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves, a sum not exceeding eighty-seven hundred and forty-eight dollars	8,748 00
		Total	\$33,748 00
Maintenance of boulevards and parkways.	227	For maintenance of boulevards and parkways, with the approval of the metropolitan district commission, a sum not exceeding two hundred twenty-one thousand five hundred and fifty dollars, representing the state's portion or one-half of the estimated cost of maintenance, to be paid from receipts in the Motor Vehicle Fees Fund	\$221,550 00
Blue Hill River road.	227½	For the state's part of the expense for widening and reconstructing Blue Hill River road in the Blue Hills reservation, subject to the conditions recited in item six hundred and sixty-nine, a sum not exceeding twenty-eight thousand one hundred and twenty-five dollars, to be paid from the receipts from the Motor Vehicle Fees Fund	28,125 00
Wellington bridge.	228	For maintenance of Wellington bridge, with the approval of the metropolitan district commission, a sum not exceeding thirty-six hundred and fifty dollars	3,650 00

Item		
229	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by existing laws, a sum not exceeding three hundred dollars	Reimbursement for premiums paid, etc. \$300 00
230	For payment in accordance with law of such claims as may arise in consequence of the death of firemen and of persons acting as firemen, from injuries received in the discharge of their duties, a sum not exceeding eighteen thousand dollars	Claims on death of firemen, etc. 18,000 00
231	For payment of any claims, as authorized by section eighty-seven of chapter thirty-two of the General Laws, for an allowance to the families of policemen killed or fatally injured in the discharge of their duties, a sum not exceeding one thousand dollars	Claims for policemen killed, etc. 1,000 00
232	For small items of expenditure for which no appropriations have been made, and for cases in which appropriations have been exhausted or have reverted to the treasury in previous years, a sum not exceeding one thousand dollars	For small items of expenditure, etc. 1,000 00
233	For reimbursement of persons for funds previously deposited in the treasury of the commonwealth on account of unclaimed savings bank deposits, a sum not exceeding one thousand dollars	Reimbursement for unclaimed savings bank deposits. 1,000 00
234	For expenses incurred for the preparation of preliminary studies and estimates, as required by section nine of chapter twenty-nine of the General Laws, where no appropriation is made to carry out the improvement requested, a sum not exceeding three thousand dollars	Expenses for preliminary studies, etc. 3,000 00
Total		\$277,625 00

Claims.

	Payments for certain claims authorized by the following appropriations shall be certified by the comptroller of the commonwealth only upon the filing of satisfactory releases or other evidence that the payments are accepted in full compensation on the part of the commonwealth in respect thereto:	Claims.
235a	For Berkshire Lumber Company, on account of lumber furnished and used in the construction of forms for concrete bridges in Williamstown, New Ashford and Lanesborough, the sum of thirty-three hundred forty-three dollars and thirty-eight cents	Berkshire Lumber Company. \$3,343 38
235b	For Taconic Lumber Company, on account of lumber furnished and used in the construction of forms for concrete bridges in Williamstown, New Ashford and Lanesborough, the sum of twenty-one hundred forty-nine dollars and forty cents	Taconic Lumber Company. 2,149 40
235c	For Stuart H. Morgan, for injuries received in the performance of his duties, the sum of fifty-seven dollars and ninety cents	Stuart H. Morgan. 57 90
235d	For Martin Morrissey, for injuries received in the performance of his duties, the sum of seven dollars and twenty-five cents	Martin Morrissey. 7 25
235e	For Earle C. Dodds of Hopedale, for reimbursement for damages to an automobile run into by a truck used by the division of highways of the state department of public works, on April twenty-fourth, nineteen hundred and twenty-two, the sum of fourteen hundred dollars	Earle C. Dodds. 1,400 00

	Item		
Whitcher's garage.	235f	For Whitcher's garage of the town of Chester, for repair of damage done to car owned by M. W. Terrill by an automobile operated by a state employee, the sum of five dollars and sixty cents	\$5 60
	Total		\$6,963 53
<i>Service of the Attorney General's Department.</i>			
Attorney General's Department.	236	For the salary of the attorney general, the sum of eight thousand dollars	\$8,000 00
	237	For the compensation of assistants in his office, and for such other legal and personal services as may be required, a sum not exceeding eighty-two thousand dollars	\$2,000 00
	238	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twelve thousand dollars	12,000 00
	Total		\$102,000 00
<i>Service of the Department of Agriculture.</i>			
Department of Agriculture.	239	For the salary of the commissioner, a sum not exceeding five thousand dollars	\$5,000 00
	240	For personal services of clerks and stenographers, a sum not exceeding thirteen thousand dollars	13,000 00
	241	For traveling expenses of the commissioner, a sum not exceeding seven hundred and fifty dollars	750 00
	242	For services other than personal, printing the annual report, office supplies and equipment, and printing and furnishing trespass posters, a sum not exceeding sixty-three hundred dollars	6,300 00
	243	For compensation and expenses of members of the advisory board, a sum not exceeding twenty-two hundred dollars	2,200 00
	244	For services and expenses of apiary inspection, a sum not exceeding twenty-five hundred dollars	2,500 00
Division of Agricultural Information:			
Division of Agricultural Information.	245	For personal services, a sum not exceeding sixty-five hundred dollars	6,500 00
	246	For other expenses and for disseminating useful information in agriculture, a sum not exceeding seventy-two hundred dollars	7,200 00
Division of Dairying and Animal Husbandry:			
Division of Dairying and Animal Husbandry.	247	For personal services, a sum not exceeding nine thousand dollars	9,000 00
	248	For other expenses, including the enforcement of the dairy laws of the commonwealth, a sum not exceeding forty-eight hundred dollars	4,800 00
	249	For expenses of demonstration sheep farms, a sum not exceeding forty-three hundred dollars	4,300 00
Division of Plant Pest Control:			
Division of Plant Pest Control.	250	For personal services, a sum not exceeding ten thousand seven hundred dollars	10,700 00
	251	For other expenses, a sum not exceeding sixty-three hundred dollars	6,300 00
Division of Ornithology:			
Division of Ornithology.	252	For personal services, a sum not exceeding forty-five hundred dollars	4,500 00
	253	For other expenses, a sum not exceeding five hundred dollars	500 00

Item			
	Division of Markets:		
254	For personal services, a sum not exceeding sixteen thousand two hundred dollars	\$16,200 00	Division of Markets.
255	For other expenses, a sum not exceeding fifty-six hundred dollars	5,600 00	
	Division of Reclamation, Soil Survey and Fairs:		
256	For personal services, a sum not exceeding twelve thousand five hundred dollars	12,500 00	Division of Reclamation, Soil Survey and Fairs.
257	For travel and other expenses, a sum not exceeding fifty-eight hundred and fifty dollars	5,850 00	
258	For state prizes and agricultural exhibits, a sum not exceeding twenty-eight thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	28,000 00	
	Specials:		
259	For work in protecting the pine trees of the commonwealth from white pine blister rust, a sum not exceeding eighteen thousand dollars, the same to be expended in co-operation with the federal authorities	18,000 00	Department of Agriculture. Specials.
259½	For quarantine and other expenses in connection with the work of suppression of the European corn-borer, so called, a sum not exceeding fifteen thousand dollars	15,000 00	
260	For payments of claims on account of currant and raspberry bushes destroyed in the work of suppressing white pine blister rust, a sum not exceeding one hundred dollars	100 00	
	Total	\$184,800 00	

Service of the Drainage Board.

261	For expenses of the board, a sum not exceeding twenty-two hundred dollars	\$2,200 00	Drainage Board.
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Service of the Department of Conservation.

	Administration:		
262	For the salary of the commissioner, a sum not exceeding five thousand dollars	\$5,000 00	Department of Conservation.
263	For traveling expenses of the commissioner, a sum not exceeding two hundred and fifty dollars	250 00	
	Total	\$5,250 00	

	Division of Forestry:		
264	For personal services of office assistants, a sum not exceeding ten thousand six hundred dollars	\$10,600 00	Division of Forestry.
265	For services other than personal, including printing the annual report, and for traveling expenses, necessary office supplies and equipment, a sum not exceeding sixty-seven hundred dollars	6,700 00	
266	For the salaries and expenses of foresters and necessary labor, supplies and equipment in maintaining forest tree nurseries, a sum not exceeding thirteen thousand five hundred dollars	13,500 00	
267	For the purchase of land and reforesting the same, as authorized by section ten of chapter one hundred and thirty-two of the General Laws, as amended, a sum not exceeding ten thousand dollars	10,000 00	

Division of Forestry, etc.	Item		
	268	For aiding towns in the purchase of equipment for extinguishing forest fires and for making protective belts or zones as a defence against forest fires, for the present year and previous years, a sum not exceeding two thousand dollars	\$2,000 00
	269	For the personal services of the state fire warden and his assistants, and for other services, including traveling expenses of the state fire warden and his assistants, necessary supplies and equipment and materials used in new construction in the forest fire prevention service, a sum not exceeding forty-eight thousand dollars, the same to be in addition to any funds allotted to Massachusetts by the federal authorities	48,000 00
	270	For the suppression of the gypsy and brown tail moths, and for expenses incidental thereto, a sum not exceeding one hundred thirty thousand dollars	130,000 00
	271	For the planting and maintenance of state forests, a sum not exceeding twenty-five thousand dollars	25,000 00
	272	For the purchase and development of state forests, and for the maintenance of nurseries for the growing of seedlings for the planting of state forests, as authorized by section thirty-six of chapter one hundred and thirty-two of the General Laws, a sum not exceeding one hundred fifty thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	150,000 00
	273	For the maintenance of the Standish monument reservation, a sum not exceeding fifteen hundred dollars	1,500 00
	274	For the maintenance of Mount Grace state forest, a sum not exceeding one thousand dollars	1,000 00
	275	For reimbursement to certain towns, as authorized by section twenty-four of chapter forty-eight of the General Laws, a sum not exceeding one thousand dollars	1,000 00
		Total	\$399,300 00
	276	(This item omitted.)	
	277	(This item omitted.)	
Division of Fisheries and Game.	Division of Fisheries and Game:		
	278	For the salary of the director, a sum not exceeding four thousand dollars	\$4,000 00
	279	For personal service of office assistants, a sum not exceeding eighty-seven hundred dollars	8,700 00
	280	For services other than personal, including printing the annual report, traveling expenses and necessary office supplies and equipment, a sum not exceeding twelve thousand eight hundred dollars	12,800 00
	281	For expenses of exhibitions and other measures to increase the interest of the public in the protection and propagation of fish and game, a sum not exceeding one thousand dollars	1,000 00
Enforcement of laws.	Enforcement of laws:		
	282	For personal services of fish and game wardens, a sum not exceeding fifty-eight thousand nine hundred dollars	58,900 00

Item			
283	For traveling expenses of fish and game wardens, and for other expenses necessary for the enforcement of the laws, a sum not exceeding twenty-four thousand three hundred dollars	\$24,300 00	Enforcement of laws.
	Biological work:		
284	For personal services to carry on biological work, a sum not exceeding forty-four hundred dollars	4,400 00	Biological work.
285	For traveling and other expenses of the biologist and his assistants, a sum not exceeding twenty-four hundred dollars	2,400 00	
	Propagation of game birds, etc.:		
286	For the maintenance of game farms and fish hatcheries, and for the propagation of game birds and animals and food fish, a sum not exceeding eighty-five thousand dollars	85,000 00	Propagation of game birds, etc.
	Marine fisheries:		
287	For personal services for regulating the sale and cold storage of fresh food fish, a sum not exceeding seventy-six hundred dollars	7,600 00	Marine fisheries.
288	For other expenses for regulating the sale and cold storage of fresh food fish, a sum not exceeding eighteen hundred dollars	1,800 00	
	Total	\$210,900 00	
	For certain improvements to be made under the direction of the Division of Fisheries and Game, as follows:		
289	At the Montague rearing station, a sum not exceeding five hundred dollars	\$500 00	For certain improvements.
290	At the Palmer hatchery, a sum not exceeding five hundred dollars	500 00	
291	(This item omitted.)		
292	At the Sandwich fish hatchery, a sum not exceeding fifteen hundred dollars	1,500 00	
293	At the Sandwich bird farm, a sum not exceeding fifteen hundred dollars	1,500 00	
294	At the Wilbraham game farm, a sum not exceeding seven hundred and fifty dollars	750 00	
	Total	\$4,750 00	
	Damages by wild deer and wild moose:		
295	For the payment of damages caused by wild deer and wild moose, for the present year and previous years, as provided by law, a sum not exceeding five thousand dollars	\$5,000 00	Damages by wild deer and wild moose.
	Bounty on seals:		
296	For bounties on seals, a sum not exceeding one hundred dollars	\$100 00	Bounty on seals.
	Division of Animal Industry:		
297	For the salary of the director, a sum not exceeding thirty-five hundred dollars	\$3,500 00	Division of Animal Industry.
298	For personal services of clerks and stenographers, a sum not exceeding ninety-three hundred dollars	9,300 00	
299	For services other than personal, including printing the annual report, traveling expenses of the director, and office supplies and equipment, a sum not exceeding sixty-two hundred dollars	6,200 00	
300	For personal services of veterinarians and agents engaged in the work of extermination of contagious diseases among domestic animals, a sum not exceeding forty-eight thousand dollars	48,000 00	

Division of Animal Industry.	Item		
	301	For the traveling expenses of veterinarians and agents, a sum not exceeding twenty-three thousand dollars	\$23,000 00
	302	For reimbursement of owners of cattle and horses killed during the present and previous years, travel, when allowed, of inspectors of animals, incidental expenses of killing and burial, quarantine and emergency services, and for laboratory and veterinary supplies and equipment, a sum not exceeding thirty-two thousand dollars	32,000 00
	303	For reimbursement of owners of certain cattle killed in accordance with agreements made under authority of section thirty-three of chapter one hundred and twenty-nine of the General Laws, as amended by section three of chapter three hundred and fifty-three of the acts of nineteen hundred and twenty-two, a sum not exceeding one hundred thousand dollars	100,000 00
		Total	\$222,000 00
Reimbursement of towns for Inspectors of Animals:			
Reimbursement of towns for Inspectors of Animals.	304	For the reimbursement of certain towns for compensation paid to inspectors of animals, a sum not exceeding seven thousand dollars	\$7,000 00
<i>Service of the Department of Banking and Insurance.</i>			
Division of Banks and Loan Agencies:			
Department of Banking and Insurance.	305	For salary of the commissioner, the sum of six thousand dollars	\$6,000 00
Division of Banks and Loan Agencies.	306	For services of deputy, directors, examiners and assistants, clerks, stenographers and experts, a sum not exceeding two hundred sixty thousand dollars	260,000 00
	307	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding ninety-two thousand dollars	92,000 00
		Total	\$358,000 00
Supervisor of Loan Agencies:			
Supervisor of Loan Agencies.	308	For personal services of supervisor and assistants, a sum not exceeding seventy-six hundred dollars	\$7,600 00
	309	For services other than personal, printing the annual report, office supplies and equipment, a sum not exceeding eight hundred dollars	800 00
		Total	\$8,400 00
Registration of Public Accountants:			
Registration of Public Accountants.	310	For examinations and registration of public accountants, including personal services of examiners, other services and necessary supplies and equipment, the said expenses to be incurred under the direction and with the approval of the commissioner of banks, a sum not exceeding two thousand dollars	\$2,000 00
Division of Insurance:			
Division of Insurance.	311	For salary of the commissioner, a sum not exceeding six thousand dollars	\$6,000 00

Item			
312	For other personal services of the division, a sum not exceeding ninety-one thousand five hundred dollars	\$91,500 00	Division of Insurance.
313	For other services, including printing the annual report, traveling expenses, and necessary office supplies and equipment, a sum not exceeding twenty-five thousand nine hundred dollars . . .	25,900 00	
	Total	\$123,400 00	
	Board of Appeal on Fire Insurance Rates:		
314	For expenses of the board, a sum not exceeding two hundred dollars	\$200 00	Board of Appeal on Fire Insurance Rates.
	Division of Savings Banks Life Insurance:		
315	For personal services of officers and employees, a sum not exceeding twenty thousand eight hundred dollars	\$20,800 00	Division of Savings Banks Life Insurance.
316	For publicity, including traveling expenses of one person, a sum not exceeding two thousand dollars	2,000 00	
317	For services other than personal, printing the annual report and traveling expenses, office supplies and equipment, a sum not exceeding fifty-eight hundred dollars	5,800 00	
318	For encouraging and promoting old age annuities and the organization of mutual benefit associations among the employees of industrial plants in the commonwealth, a sum not exceeding three thousand and sixty dollars	3,060 00	
	Total	\$31,660 00	
	<i>Service of the Department of Corporations and Taxation.</i>		
319	For the salary of the commissioner, a sum not exceeding sixty-five hundred dollars	\$6,500 00	Department of Corporations and Taxation.
320	For the salaries of certain positions filled by the commissioner, with the approval of the governor and council, and for additional clerical and other assistance, a sum not exceeding one hundred forty-seven thousand dollars	147,000 00	
321	For traveling expenses, a sum not exceeding sixty-five hundred dollars	6,500 00	
322	For other services and for necessary office supplies and equipment, and for printing the annual report, other publications and valuation books, a sum not exceeding twenty-eight thousand four hundred dollars	28,400 00	
	Total	\$188,400 00	
	Income Tax Division (the following appropriations are to be made from the receipts from the income tax):		
323	For personal services of the deputy, assistants, assessors, assistant assessors, clerks, stenographers and other necessary assistants, a sum not exceeding three hundred seventeen thousand dollars	\$317,000 00	Income Tax Division.
324	For traveling expenses of members of the division, a sum not exceeding nine thousand dollars	9,000 00	
325	For services other than personal, and for office supplies and equipment, a sum not exceeding one hundred twenty-eight thousand dollars	128,000 00	
	Total	\$454,000 00	

Item		
Division of Accounts:		
Division of Accounts.	326	For personal services, a sum not exceeding forty-seven thousand dollars \$47,000 00
	327	For other expenses, a sum not exceeding twelve thousand five hundred and fifty dollars 12,550 00
	328	For services and expenses of auditing and installing municipal accounts, the cost of which is to be assessed upon the municipalities for which the work is done, a sum not exceeding sixty thousand dollars 60,000 00
	329	For the expense of certain books, forms and other material, which may be sold to cities and towns requiring the same for maintaining their system of accounts, a sum not exceeding eight thousand dollars 8,000 00
	Total \$127,550 00	
Reimbursement for loss of taxes:		
Reimbursement to cities and towns for loss of certain taxes.	330	For reimbursing cities and towns for loss of taxes on land used for state institutions, as certified by the commissioner of corporations and taxation, for the fiscal year ending November thirtieth, nineteen hundred and twenty-three, a sum not exceeding eighty-eight thousand dollars \$88,000 00
<i>Service of the Department of Education.</i>		
Department of Education.	331	For the salary of the commissioner, a sum not exceeding nine thousand dollars \$9,000 00
	332	For personal services of officers, agents, clerks, stenographers and other assistants, but not including those employed in university extension work, a sum not exceeding seventy-nine thousand three hundred dollars 79,300 00
	333	For traveling expenses of members of the advisory board and of agents and employees when required to travel in discharge of their duties, a sum not exceeding ninety-five hundred dollars 9,500 00
	334	For services other than personal, necessary office supplies, and for printing the annual report and bulletins as provided by law, a sum not exceeding sixteen thousand three hundred dollars 16,300 00
	335	For expenses incidental to furnishing school committees with rules for testing the sight and hearing of pupils, a sum not exceeding eight hundred dollars 800 00
	336	For printing school registers and other school blanks for cities and towns, a sum not exceeding five thousand dollars 5,000 00
	337	For assisting small towns in providing themselves with school superintendents, as provided by law, a sum not exceeding one hundred five thousand dollars 105,000 00
	338	For the reimbursement of certain towns for the payment of tuition of pupils attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding one hundred fifty-two thousand three hundred dollars 152,300 00
	339	For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding ninety-two thousand nine hundred dollars 92,900 00

Item			
340	For the reimbursement of certain cities and towns for a part of the expense of maintaining agricultural and industrial vocational schools, as provided by law, a sum not exceeding one million seventy-eight thousand six hundred fifty-three dollars and sixty-six cents	\$1,078,653 66	Department of Education.
341	For the promotion of vocational rehabilitation and co-operation with the federal government, with the approval of the department of education, a sum not exceeding fifteen thousand dollars	15,000 00	
342	For the education of deaf and blind pupils of the commonwealth, as provided by section twenty-six of chapter sixty-nine of the General Laws, a sum not exceeding three hundred twenty-four thousand three hundred dollars	324,300 00	
343	For expenses of holding teachers' institutes, a sum not exceeding two thousand dollars	2,000 00	
344	For aid to certain pupils in normal schools under the direction of the department of education, a sum not exceeding four thousand dollars	4,000 00	
345	For the training of teachers for vocational schools to comply with the requirements of federal authorities under the provisions of the Smith-Hughes act, so called, a sum not exceeding thirty thousand eight hundred and twenty-five dollars	30,825 00	
	Total	\$1,924,878 66	
	English Speaking Classes for Adults:		
346	For personal services of administration, a sum not exceeding ten thousand six hundred dollars	\$10,600 00	English Speaking Classes for Adults.
347	For other expenses of administration, a sum not exceeding seventy-three hundred dollars	7,300 00	
348	For reimbursement of certain cities and towns, a sum not exceeding one hundred fifty thousand dollars	150,000 00	
	Total	\$167,900 00	
	University Extension Courses:		
349	For personal services, a sum not exceeding one hundred forty-one thousand dollars	\$141,000 00	University Extension Courses.
350	For other expenses, a sum not exceeding fifty-one thousand dollars	51,000 00	
	Total	\$192,000 00	
	Division of Immigration and Americanization:		
351	For personal services, a sum not exceeding thirty-five thousand six hundred dollars	\$35,600 00	Division of Immigration and Americanization.
352	For other expenses, a sum not exceeding ninety-seven hundred dollars	9,700 00	
	Total	\$45,300 00	
	Division of Public Libraries:		
353	For personal services of regular agents and office assistants, a sum not exceeding ten thousand dollars	\$10,000 00	Division of Public Libraries.
354	For other services, including printing the annual report, traveling expenses, necessary office supplies and expenses incidental to the aiding of public libraries, a sum not exceeding thirteen thousand seven hundred and ninety dollars	13,790 00	
	Total	\$23,790 00	

Item		
Division of the Blind.		Division of the Blind:
	355	For general administration, furnishing information, industrial and educational aid, and for carrying out the other provisions of the laws establishing said division, a sum not exceeding sixty-nine thousand dollars \$69,000 00
	356	For maintenance of industries under the control of said division, a sum not exceeding seventy thousand dollars, the same to be in addition to the income collected by the division from sales of products 70,000 00
	357	For instruction of the adult blind in their homes, a sum not exceeding ninety-eight hundred dollars 9,800 00
	358	For expenses of providing sight-saving classes, with the approval of the division of the blind, a sum not exceeding twelve thousand six hundred dollars 12,600 00
	359	For aiding the adult blind, subject to the conditions provided by law, a sum not exceeding ninety-three thousand dollars 93,000 00
Total		\$254,400 00
Teachers' Retirement Board.		Teachers' Retirement Board:
	360	For personal services of employees, a sum not exceeding eighty-five hundred dollars \$8,500 00
	361	For services other than personal, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding nineteen hundred dollars 1,900 00
	362	For payment of pensions to retired teachers, a sum not exceeding two hundred ninety thousand dollars 290,000 00
	363	For reimbursement of certain cities and towns for pensions to retired teachers, a sum not exceeding seventy-three thousand forty-nine dollars and nine cents 73,049 09
Total		\$373,449 09
Massachusetts Nautical School.		Massachusetts Nautical School:
	364	For personal services of the secretary and office assistants, a sum not exceeding four thousand dollars \$4,000 00
	365	For services other than regular clerical services, including printing the annual report, rent, office supplies and equipment, a sum not exceeding twenty-six hundred dollars 2,600 00
	366	For the maintenance of the school and ship, a sum not exceeding eighty-six thousand dollars 86,000 00
Total		\$92,600 00
Massachusetts Agricultural College.		Massachusetts Agricultural College:
	367	For maintenance and current expenses, a sum not exceeding eight hundred seventy-six thousand nine hundred and fifty dollars \$876,950 00
	368	For the construction of a building for a chemical laboratory, including the expense of all pipe lines and other service connections and equipment and furnishings, a sum not exceeding one hundred fifty thousand dollars, the same to be in addition to the amount appropriated in nineteen hundred and twenty-two 150,000 00

Item			
369	For further improvements at Tillson farm, a sum not exceeding five thousand dollars	\$5,000 00	Massachusetts Agricultural College.
370	For the improvement of roads, the work to be done under the supervision of the highway division of the department of public works, a sum not exceeding eight thousand dollars	8,000 00	
371	For tool sheds and garage for the division of horticulture, a sum not exceeding six thousand dollars	6,000 00	
372	For the replacement of live stock, a sum not exceeding five thousand dollars	5,000 00	
372 $\frac{1}{4}$	For new walks, a sum not exceeding twenty-five hundred dollars	2,500 00	
372 $\frac{1}{2}$	For replacing tenement house, destroyed by fire, a sum not exceeding eight thousand dollars	8,000 00	
Total		\$1,061,450 00	
For the maintenance and improvement of the state normal schools, and the boarding halls attached thereto, with the approval of the commissioner of education, as follows:			
373	Bridgewater normal school, a sum not exceeding one hundred twenty-eight thousand and sixty-five dollars	\$128,065 00	Maintenance of state normal schools.
374	Bridgewater normal school boarding hall, a sum not exceeding eighty-one thousand dollars	81,000 00	
375	Fitchburg normal school, a sum not exceeding one hundred forty-one thousand five hundred and fifty dollars	141,550 00	
376	Fitchburg normal school boarding hall, a sum not exceeding forty-one thousand two hundred and forty dollars	41,240 00	
377	Framingham normal school, a sum not exceeding one hundred thirty-six thousand three hundred and ninety dollars	136,390 00	
378	Framingham normal school boarding hall, a sum not exceeding one hundred thousand two hundred and seventy-five dollars	100,275 00	
379	For the purchase of land for the Framingham normal school, a sum not exceeding seventy-five hundred dollars	7,500 00	
380	Hyannis normal school, a sum not exceeding forty-eight thousand eight hundred dollars	48,800 00	
381	Hyannis normal school boarding hall, a sum not exceeding twenty-nine thousand eight hundred dollars	29,800 00	
382	Lowell normal school, a sum not exceeding fifty-nine thousand five hundred dollars	59,500 00	
383	North Adams normal school, a sum not exceeding sixty-eight thousand two hundred dollars	68,200 00	
384	North Adams normal school boarding hall, a sum not exceeding thirty-five thousand four hundred dollars	35,400 00	
385	Salem normal school, a sum not exceeding one hundred seventeen thousand three hundred and thirty-five dollars	117,335 00	
386	Westfield normal school, a sum not exceeding sixty-seven thousand eight hundred and forty-five dollars	67,845 00	
387	Westfield normal school boarding hall, a sum not exceeding twenty-five thousand three hundred dollars	25,300 00	
388	Worcester normal school, a sum not exceeding seventy thousand six hundred dollars	70,600 00	

	Item		
Maintenance of state normal schools.	389	Worcester normal school boarding hall, a sum not exceeding eighty-four hundred and forty-five dollars	\$8,445 00
	390	Normal art school, a sum not exceeding eighty-one thousand four hundred and seventy-five dollars	81,475 00
		Total	\$1,248,720 00
		Textile schools:	
Bradford Durfee textile school of Fall River.	391	For the maintenance of the Bradford Durfee textile school of Fall River, a sum not exceeding sixty-five thousand one hundred dollars, of which sum ten thousand dollars is to be contributed by the city of Fall River, and the city of Fall River is hereby authorized to raise by taxation the said sum of ten thousand dollars	\$65,100 00
Lowell textile school.	392	For the maintenance of the Lowell textile school, a sum not exceeding one hundred seventy-one thousand eight hundred and twenty-five dollars, of which sum ten thousand dollars is to be contributed by the city of Lowell, and the city of Lowell is hereby authorized to raise by taxation the said sum of ten thousand dollars	171,825 00
New Bedford textile school.	393	For the maintenance of the New Bedford textile school, a sum not exceeding seventy-six thousand four hundred and fifty dollars, of which sum ten thousand dollars is to be contributed by the city of New Bedford, and the city of New Bedford is hereby authorized to raise by taxation the said sum of ten thousand dollars	76,450 00
	394	For new equipment and service connections for the New Bedford textile school, a sum not exceeding twelve thousand five hundred dollars	12,500 00
		Total	\$325,875 00
		<i>Service of the Department of Civil Service and Registration.</i>	
Department of Civil Service and Registration.	395	For personal services of telephone operator for the department, a sum not exceeding seven hundred and fifty dollars	\$750 00
		Division of Civil Service:	
Division of Civil Service.	396	For the salaries of the commissioner and associate commissioners, a sum not exceeding nine thousand dollars	\$9,000 00
	397	For other personal services of the division, a sum not exceeding seventy-five thousand dollars	75,000 00
	398	For other services and for printing the annual report, and for office supplies and equipment, a sum not exceeding thirty-two thousand dollars	32,000 00
	399	For services and traveling expenses in conducting investigations, as provided by sections thirty-three and thirty-four of chapter thirty-one of the General Laws, a sum not exceeding one thousand dollars	1,000 00
		Total	\$117,000 00
		Division of Registration:	
Division of Registration.	400	For the salary of the director, a sum not exceeding fifteen hundred dollars	\$1,500 00
	401	For expenses of the director, a sum not exceeding fourteen hundred and forty-five dollars	1,445 00
		Total	\$2,945 00

Item	Board of Registration in Medicine:		
402	For services of the members of the board, a sum not exceeding forty-three hundred dollars	\$4,300 00	Board of Registration in Medicine.
403	For services of office assistants, a sum not exceeding two thousand dollars	2,000 00	
404	For personal services of members of the board and examiners for the registration of chiropodists, a sum not exceeding six hundred dollars	600 00	
405	For services other than personal, including printing of the annual report, traveling expenses, rent of office, office supplies and equipment, a sum not exceeding three thousand dollars	3,000 00	
	Total	\$9,900 00	
	Board of Dental Examiners:		
406	For services of the members of the board and clerical assistance, a sum not exceeding thirty-five hundred dollars	\$3,500 00	Board of Dental Ex- aminers.
407	For other services, including printing the annual report, and for rent, traveling expenses, office supplies and equipment, a sum not exceeding twenty-five hundred dollars	2,500 00	
	Total	\$6,000 00	
	Board of Registration in Pharmacy:		
408	For personal services of members of the board, a sum not exceeding thirty-eight hundred dollars	\$3,800 00	Board of Registration in Pharmacy.
409	For services of the agent and office assistants, a sum not exceeding forty-four hundred and forty dollars	4,440 00	
410	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding forty-six hundred dollars	4,600 00	
	Total	\$12,840 00	
	Board of Registration of Nurses:		
411	For services of members of the board, a sum not exceeding twenty-one hundred dollars	\$2,100 00	Board of Registration of Nurses.
412	For services of clerical assistants in their office, a sum not exceeding fifteen hundred dollars	1,500 00	
413	For services other than personal, printing the annual report, office rent, traveling expenses and office supplies and equipment, a sum not exceeding twenty-one hundred and twenty-five dollars	2,125 00	
	Total	\$5,725 00	
	Board of Registration in Embalming:		
414	For compensation of members of the board and services of their clerk, a sum not exceeding fourteen hundred dollars	\$1,400 00	Board of Registration in Embalming.
415	For services other than personal, including traveling expenses, supplies and office equipment, a sum not exceeding fifteen hundred dollars	1,500 00	
	Total	\$2,900 00	
	Board of Registration in Optometry:		
416	For personal services of members of the board, a sum not exceeding nineteen hundred dollars	\$1,900 00	Board of Registration in Optometry.
417	For clerical services, a sum not exceeding fifty dollars	50 00	

	Item		
Board of Registration in Optometry.	418	For other services, printing the annual report, office supplies and equipment, and traveling expenses of the members of the board, a sum not exceeding one thousand dollars	\$1,000 00
		Total	\$2,950 00
Board of Registration in Veterinary Medicine:			
Board of Registration in Veterinary Medicine.	419	For services of the members of the board and secretary, a sum not exceeding six hundred dollars	\$600 00
	420	For other services, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding four hundred dollars	400 00
		Total	\$1,000 00
State Examiners of Electricians:			
State Exam- iners of Elec- tricians.	421	For personal services of the secretary and assistants, a sum not exceeding fifty-two hundred dollars	\$5,200 00
	422	For other expenses, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding three thousand dollars	3,000 00
		Total	\$8,200 00
<i>Service of the Department of Industrial Accidents.</i>			
Department of Industrial Accidents.	423	For personal services of members of the board, a sum not exceeding thirty-five thousand five hundred dollars	\$35,500 00
	424	For personal services of secretaries, medical adviser, inspectors, clerks and office assistants, a sum not exceeding one hundred one thousand five hundred dollars	101,500 00
	425	For expenses of impartial examinations, a sum not exceeding eighteen thousand dollars	18,000 00
	426	For traveling expenses, a sum not exceeding seven thousand dollars	7,000 00
	427	For other services, printing the annual report, necessary office supplies and equipment, a sum not exceeding fourteen thousand five hundred dollars	14,500 00
		Total	\$176,500 00
<i>Service of the Department of Labor and Industries.</i>			
Department of Labor and Industries.	428	For salary of the commissioner, assistant and associate commissioners, a sum not exceeding twenty thousand five hundred dollars	\$20,500 00
	429	For clerical and other assistance to the commissioner, a sum not exceeding forty-six hundred and eighty dollars	4,680 00
	430	For personal services for the inspectional service, a sum not exceeding one hundred three thousand six hundred dollars	103,600 00
	431	For personal services for the statistical service, a sum not exceeding thirty-six thousand six hundred dollars	36,600 00
	432	For clerical and other personal services for the operation of free employment offices, a sum not exceeding forty-seven thousand dollars	47,000 00

Item			
433	For clerical and other assistance for the board of conciliation and arbitration, a sum not exceeding sixteen thousand dollars	\$16,000 00	Department of Labor and Industries.
434	For personal services of investigators, clerks and stenographers for the minimum wage service, a sum not exceeding twelve thousand dollars	12,000 00	
435	For compensation and expenses of wage boards, a sum not exceeding thirty-two hundred and fifty dollars	3,250 00	
436	For personal services for the division of standards, a sum not exceeding twenty-two thousand six hundred and fifty dollars	22,650 00	
437	For personal services of inspectors in surveying lumber, a sum not exceeding twenty-six thousand two hundred dollars	26,200 00	
438	For traveling expenses of the commissioner, assistant commissioner, associate commissioners and inspectors of labor, a sum not exceeding fifteen thousand dollars	15,000 00	
439	For services other than personal, printing the annual report, rent of district offices, and office supplies and equipment for the inspectional service, a sum not exceeding thirteen thousand five hundred dollars	13,500 00	
440	For services other than personal, printing reports and publications, traveling expenses and office supplies and equipment for the statistical service, a sum not exceeding thirteen thousand dollars	13,000 00	
441	For rent, necessary office supplies and equipment for the free employment offices, a sum not exceeding sixteen thousand six hundred dollars	16,600 00	
442	For other services, printing, traveling expenses and office supplies and equipment for the board of conciliation and arbitration, a sum not exceeding fifty-five hundred dollars	5,500 00	
443	For services other than personal, printing, traveling expenses and office supplies and equipment for minimum wage service, a sum not exceeding three thousand dollars	3,000 00	
444	For other services, printing, traveling expenses and office supplies and equipment for the division of standards, a sum not exceeding eleven thousand eight hundred and twenty-five dollars	11,825 00	
445	For travel and expenses of the inspectors in surveying lumber, a sum not exceeding thirty-five hundred and seventy-five dollars	3,575 00	
	Total	\$374,480 00	
Commission on Foreign and Domestic Commerce:			
446	For personal services of employees of the commission, a sum not exceeding thirty-five hundred dollars	\$3,500 00	Commission on Foreign and Domestic Commerce.
447	For other expenses of the commission, a sum not exceeding fifteen hundred dollars	1,500 00	
	Total	\$5,000 00	
<i>Service of the Department of Mental Diseases.</i>			
448	For the salary of the commissioner, a sum not exceeding nine thousand dollars	\$9,000 00	Department of Mental Diseases.
449	For personal services of officers and employees, a sum not exceeding seventy-seven thousand dollars	77,000 00	

Department of Mental Dis- eases.	Item		
	450	For transportation and medical examination of state paupers under its charge for the present year and previous years, a sum not exceeding fifteen thousand dollars	\$15,000 00
	451	For the support of insane paupers boarded in families under its charge, or temporarily absent under authority of the same, for the present year and previous years, a sum not exceeding sixty-five hundred dollars	6,500 00
	452	For the support of state paupers in the Hospital Cottages for Children, a sum not exceeding fifteen thousand five hundred dollars	15,500 00
	453	For the expenses of an investigation as to the nature, causes, results and treatment of mental diseases and defects, and the publication of the results thereof, a sum not exceeding twenty-five thousand dollars	25,000 00
	454	For other services, including printing the annual report, traveling and office supplies and equipment, a sum not exceeding twenty thousand four hundred dollars	20,400 00
Total			\$168,400 00
Institutions under control of Department of Mental Diseases:			
Boston state hospital.	455	Boston state hospital, a sum not exceeding seven hundred thirty-one thousand three hundred thirty-four dollars and fifty-three cents	\$731,334 53
	456	For the construction of a house for superintendent at the Boston state hospital, a sum not exceeding fifteen thousand dollars	15,000 00
Boston psychopathic hospital.	457	Boston psychopathic hospital, a sum not exceeding one hundred ninety-five thousand eight hundred forty-five dollars and sixty-five cents	195,845 65
Danvers state hospital.	458	Danvers state hospital, a sum not exceeding five hundred eighty-eight thousand eight hundred sixty-one dollars and fifty-three cents	588,861 53
	459	For the construction of a storage house for roots and vegetables at the Danvers state hospital, a sum not exceeding six thousand dollars	6,000 00
	460	Foxborough state hospital, a sum not exceeding two hundred ninety-eight thousand seven hundred twenty-nine dollars and fifty-five cents	298,729 55
Foxborough state hospital.	461	For the construction of an administration, medical and surgical building at the Foxborough state hospital, a sum not exceeding one hundred thirty thousand dollars	130,000 00
	462	For furnishings for certain ward buildings at the Foxborough state hospital, a sum not exceeding twenty thousand dollars	20,000 00
	462½	For the purchase of land for the Foxborough state hospital, a sum not exceeding five thousand dollars	5,000 00
	463	Gardner state colony, a sum not exceeding three hundred fifty thousand four hundred eighty-six dollars and twelve cents	350,486 12
Gardner state colony.	464	For certain alterations in male and female infirmary buildings at the Gardner state colony, a sum not exceeding six thousand dollars	6,000 00
	465	For certain alterations in domestic building at the Gardner state colony, a sum not exceeding forty-seven thousand dollars	47,000 00

Item			
466	Grafton state hospital, a sum not exceeding five hundred thirty-three thousand three hundred twenty-one dollars and three cents . . .	\$533,321 03	Grafton state hospital.
467	Massachusetts School for the Feeble-Minded, a sum not exceeding five hundred forty thousand three hundred eighty-five dollars and eighty-five cents .	540,385 85	Massachusetts School for the Feeble-Minded.
468	For central heating and power plant at the Massachusetts School for the Feeble-Minded, a sum not exceeding eighty-five thousand dollars, the same to be in addition to the amount appropriated in nineteen hundred and twenty-two . . .	85,000 00	
469	For the construction of additional quarters for employees at the Massachusetts School for the Feeble-Minded, a sum not exceeding fourteen thousand dollars, the same to be in addition to the amount appropriated in nineteen hundred and twenty-two . . .	14,000 00	
470	For furnishings for officers' quarters at the Massachusetts School for the Feeble-Minded, a sum not exceeding five thousand dollars . . .	5,000 00	
471	Medfield state hospital, a sum not exceeding five hundred sixty-three thousand one hundred sixteen dollars and fifty-eight cents . . .	563,116 58	Medfield state hospital.
472	For the installation of continuous baths at the Medfield state hospital, a sum not exceeding twenty-three thousand dollars . . .	23,000 00	
472½	For the construction and equipment of a hydiatric room at the Medfield state hospital, a sum not exceeding eleven thousand nine hundred dollars . .	11,900 00	
473	For equipping bathtubs with automatic control valves at the Medfield state hospital, a sum not exceeding seventy-five hundred dollars . . .	7,500 00	
474	For the improvement of water supply at the Medfield state hospital, a sum not exceeding forty-three hundred dollars . . .	4,300 00	
474½	For the purchase of land for the Medfield state hospital, a sum not exceeding three thousand dollars . . .	3,000 00	
475	Monson state hospital, a sum not exceeding four hundred one thousand four hundred ninety-four dollars and sixty-two cents . . .	401,494 62	Monson state hospital.
476	For the construction of three cottages for married physicians and officers at the Monson state hospital, a sum not exceeding fifteen thousand dollars . . .	15,000 00	
477	For rebuilding ice house at the Monson state hospital, a sum not exceeding two thousand dollars . .	2,000 00	
478	Northampton state hospital, a sum not exceeding three hundred seventy-two thousand five hundred seventy-five dollars and fifty-one cents . . .	372,575 51	Northampton state hospital.
479	For the construction of two ward buildings for the Northampton state hospital, at a cost not exceeding two hundred thousand dollars, of which sum one hundred thousand dollars is hereby appropriated in anticipation of a further sum of one hundred thousand dollars to be appropriated in the fiscal year nineteen hundred and twenty-four .	100,000 00	
480	For the purchase of the Courtney property for the Northampton state hospital, a sum not exceeding four thousand dollars . . .	4,000 00	
481	Taunton state hospital, a sum not exceeding five hundred two thousand three hundred forty-four dollars and three cents . . .	502,344 03	Taunton state hospital.
482	Westborough state hospital, a sum not exceeding five hundred thirty-two thousand seven hundred twenty-eight dollars and eighty-eight cents . .	532,728 88	Westborough state hospital.

	Item		
Worcester state hospital.	483	Worcester state hospital, a sum not exceeding seven hundred thirty-one thousand four hundred eighty-nine dollars and thirty-nine cents	\$731,489 39
Wrentham state school.	484	Wrentham state school, a sum not exceeding four hundred forty-five thousand eight hundred seventy dollars and twenty-eight cents	445,870 28
	485	For the building of sewer beds at the Wrentham state school, a sum not exceeding ten thousand dollars, the same to be in addition to the amount appropriated in nineteen hundred and twenty-two	10,000 00
	486	For the completion of storehouse at the Wrentham state school, a sum not exceeding thirty-five thousand dollars	35,000 00
Belchertown state school.	487	Belchertown state school, a sum not exceeding two hundred fifty-three thousand seventy-six dollars and forty-five cents	253,076 45
	488	For building and furnishing two dormitories for employees at the Belchertown state school, a sum not exceeding twenty-seven thousand five hundred dollars, the same to be in addition to the amount appropriated in nineteen hundred and twenty-two	27,500 00
	489	For extension of the water system, and for certain expenses of a sewerage system at the Belchertown state school, a sum not exceeding thirty-four thousand eight hundred dollars, the same to be in addition to the amount appropriated in nineteen hundred and twenty-two	34,800 00
	490	For certain furnishings and equipment at the Belchertown state school, a sum not exceeding fifty-nine thousand eight hundred dollars, the same to be in addition to the amount appropriated in nineteen hundred and twenty-two	59,800 00
	490 $\frac{1}{4}$	For the construction of tunnel, conduits and service line extensions at the Belchertown state school, a sum not exceeding thirty-seven thousand dollars	37,000 00
	490 $\frac{1}{2}$	For the construction of electric service lines at the Belchertown state school, a sum not exceeding sixty-six hundred and fifty dollars	6,650 00
	491	For remodeling and furnishing employees' cottages at the Belchertown state school, a sum not exceeding fourteen thousand dollars	14,000 00
Total			\$7,770,110 00

Service of the Department of Correction.

Department of Correction.	492	For the salary of the commissioner, a sum not exceeding six thousand dollars	\$6,000 00
	493	For personal services of deputies, members of the board of parole and advisory board of pardons, agents, clerks and stenographers, a sum not exceeding fifty-four thousand dollars	54,000 00
	494	For services other than personal, including printing the annual report, necessary office supplies and equipment, a sum not exceeding sixty-two hundred dollars	6,200 00
	495	For traveling expenses of officers and employees of the department when required to travel in the discharge of their duties, a sum not exceeding ten thousand dollars	10,000 00
	496	For the removal of prisoners to and from state institutions, a sum not exceeding seven thousand dollars	7,000 00

Item		Department of Correction.
497	For assistance to prisoners discharged from the state prison, Massachusetts reformatory, prison camp and hospital and state farm, and to discharged female prisoners, a sum not exceeding eleven thousand dollars	\$11,000 00
498	For services of guards and for the purchase of equipment needed for the employment of prisoners, as defined in section eighty-two of chapter one hundred and twenty-seven of the General Laws, a sum not exceeding seven thousand dollars	7,000 00
499	For the relief of the families or dependents of inmates of state penal institutions, a sum not exceeding five hundred dollars	500 00
500	For such expenses incidental to the holding of a prison congress in Boston as may be approved by the governor and council, a sum not exceeding one thousand dollars	1,000 00
	Total	\$102,700 00
	For the maintenance of and for certain improvements at the following institutions under the control of the Department of Correction:	Institutions under control of Department of Correction.
501	State farm, a sum not exceeding four hundred thirty-five thousand and fifty dollars	\$435,050 00 State farm.
502	State prison, a sum not exceeding two hundred eighty-five thousand two hundred dollars	285,200 00 State prison.
502½	There is hereby reserved for carrying out the recommendations of the governor, relative to an investigation and report to the general court in nineteen hundred and twenty-four concerning a site for the relocation of the state prison, and of the expense involved, the sum of ten thousand dollars	10,000 00
503	Massachusetts reformatory, a sum not exceeding three hundred thirty-two thousand eight hundred and ten dollars	332,810 00 Massachusetts reformatory.
504	Prison camp and hospital, a sum not exceeding seventy-three thousand six hundred dollars	73,600 00 Prison camp and hospital.
505	Reformatory for women, a sum not exceeding one hundred fifty-eight thousand eight hundred and twenty dollars	158,820 00 Reformatory for women.
506	For the town of Framingham, according to a contract for sewage disposal at the reformatory for women, the sum of six hundred dollars	600 00
507	For the installation of sprinkler equipment at the reformatory for women, a sum not exceeding fifteen thousand dollars	15,000 00
508	For electric wiring at the reformatory for women, a sum not exceeding fifteen thousand dollars	15,000 00
509	For certain building changes at the reformatory for women, a sum not exceeding thirty-three thousand dollars	33,000 00
510	For certain changes in piping at the reformatory for women, a sum not exceeding five thousand dollars	5,000 00
511	For certain kitchen equipment at the reformatory for women, a sum not exceeding ninety-five hundred dollars	9,500 00
512	(This number omitted.)	
513	For expense of installing a new system of locks and keys at the reformatory for women, a sum not exceeding six thousand dollars	6,000 00
	Total	\$1,379,580 00

Service of the Department of Public Welfare.

Department of Public Welfare.	Item		
	514	For the salary of the commissioner, a sum not exceeding fifty-five hundred dollars	\$5,500 00
	515	For personal services of officers and employees and supervision of homesteads and planning boards, a sum not exceeding twenty-three thousand six hundred dollars	23,600 00
	516	For services other than personal, printing the annual report, traveling expenses, including expenses of auxiliary visitors, office supplies and expenses, and contingent expenses for the supervision of homesteads and planning boards, a sum not exceeding eighty-two hundred dollars	8,200 00
		Total	\$37,300 00
		Division of Aid and Relief:	
Division of Aid and Relief.	517	For personal services of officers and employees, a sum not exceeding ninety-eight thousand dollars	\$98,000 00
	518	For services other than personal, including traveling expenses and office supplies and equipment, a sum not exceeding twenty-two thousand seven hundred dollars	22,700 00
	519	For the transportation of state paupers under the charge of the department, for the present year and previous years, a sum not exceeding sixteen thousand dollars	16,000 00
		The following items are for reimbursement of cities and towns:	
Reimbursement of cities and towns for payment of certain aid, etc.	520	For the payment of suitable aid to mothers with dependent children, for the present year and previous years, a sum not exceeding nine hundred thousand dollars	900,000 00
	521	For the burial of state paupers by cities and towns, for the present year and previous years, a sum not exceeding forty-five hundred dollars	4,500 00
	522	For expenses in connection with smallpox and other diseases dangerous to the public health, for the present year and previous years, a sum not exceeding ninety-five thousand dollars	95,000 00
	523	For the support of sick paupers by cities and towns, for the present year and previous years, the same to include cases of wife settlement, a sum not exceeding eighty-five thousand dollars	85,000 00
	524	For temporary aid given to state paupers and shipwrecked seamen by cities and towns, for the present year and previous years, a sum not exceeding four hundred fifty thousand dollars	450,000 00
		Total	\$1,671,200 00
		Division of Child Guardianship:	
Division of Child Guardianship.	525	For personal services of officers and employees, a sum not exceeding one hundred forty thousand dollars	\$140,000 00
	526	For services other than personal, office supplies and equipment, a sum not exceeding fifty-five hundred dollars	5,500 00
	527	For tuition in the public schools, including transportation to and from school, of children boarded or bound out by the department, a sum not exceeding one hundred ninety-six thousand five hundred dollars	196,500 00

Item			
528	For the care and maintenance of indigent and neglected children and juvenile offenders, for the present year and previous years, a sum not exceeding eight hundred thousand dollars . . .	\$800,000 00	Division of Child Guardianship.
529	For the care, maintenance and transportation of unsettled pauper infants, for the present year and previous years, a sum not exceeding eighty-four thousand five hundred dollars . . .	84,500 00	
	Total	\$1,226,500 00	

Division of Juvenile Training, Trustees of Massachusetts Training Schools:

530	For services of the executive secretary and stenographer, a sum not exceeding fifty-six hundred and sixty dollars . . .	\$5,660 00	Trustees of Massachusetts Training Schools, Division of Juvenile Training.
531	For services other than personal, including printing the annual report, traveling and other expenses of the members of the board and employees, office supplies and equipment, a sum not exceeding twenty-six hundred dollars . . .	2,600 00	

Boys' Parole:

532	For personal services of agents in the division for boys paroled and boarded in families, a sum not exceeding twenty-nine thousand six hundred dollars . . .	29,600 00	Boys' Parole.
533	For services other than personal, including traveling expenses of the agents and boys, and necessary office supplies and equipment, a sum not exceeding nineteen thousand five hundred dollars . . .	19,500 00	
534	For board, clothing, medical and other expenses incidental to the care of boys, a sum not exceeding twenty-seven thousand dollars . . .	27,000 00	

Girls' Parole:

535	For personal services of agents in the division for girls paroled from the industrial school for girls, a sum not exceeding twenty-three thousand dollars . . .	23,000 00	Girls' Parole.
536	For traveling expenses of said agents for the girls paroled, for board, medical and other care of girls, and for services other than personal, office supplies and equipment, a sum not exceeding eleven thousand six hundred dollars . . .	11,600 00	
537	For reimbursement of cities and towns for tuition of children attending the public schools, a sum not exceeding seven thousand dollars . . .	7,000 00	
	Total	\$125,960 00	

For the maintenance of and for certain improvements at the institutions under the control of the trustees of the Massachusetts training schools, with the approval of said trustees, as follows:

538	Industrial school for boys, a sum not exceeding one hundred fifty thousand one hundred dollars . . .	\$150,100 00	Institutions under control of trustees of Massachusetts training schools.
539	For moving and relocating cottage number four at the industrial school for boys, a sum not exceeding sixty-five hundred dollars . . .	6,500 00	Industrial school for boys.
540	For the purchase of material for rebuilding barn for hay storage and horses at the industrial school for boys, a sum not exceeding seven thousand dollars . . .	7,000 00	

	Item		
Industrial school for girls.	541	Industrial school for girls, a sum not exceeding one hundred forty-four thousand eight hundred dollars	\$144,800 00
Lyman school for boys.	542	Lyman school for boys, a sum not exceeding two hundred thirty-one thousand three hundred and twenty-five dollars	231,325 00
		Total	\$539,725 00
		Massachusetts Hospital School:	
Massachusetts Hospital School.	543	For the maintenance of the Massachusetts hospital school, to be expended with the approval of the trustees thereof, a sum not exceeding one hundred sixty-seven thousand two hundred and thirty-five dollars	\$167,235 00
		State Infirmary:	
State Infirmary.	544	For the maintenance of the state infirmary, to be expended with the approval of the trustees thereof, a sum not exceeding eight hundred thirty-eight thousand seven hundred dollars	\$838,700 00
	545	For the construction, including service connections and equipment and furnishings, of additional hospital accommodations, a sum not exceeding one hundred forty thousand dollars	140,000 00
		Total	\$978,700 00
		<i>Service of the Department of Public Health.</i>	
		Division of Administration:	
Department of Public Health.	546	For the salary of the commissioner, a sum not exceeding seventy-five hundred dollars	\$7,500 00
Division of Administration.	547	For personal services of the health council and office assistants, a sum not exceeding twelve thousand four hundred dollars	12,400 00
	548	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding seventy-three hundred dollars	7,300 00
		Division of Hygiene:	
Division of Hygiene.	549	For personal services of the director and assistants, a sum not exceeding twenty-two thousand two hundred dollars	22,200 00
	550	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding seventeen thousand one hundred dollars	17,100 00
	551	For personal services for extending the activities of the division in the protection and care of mothers and conservation of the welfare of children, a sum not exceeding twenty-nine thousand and thirty dollars	29,030 00
	552	For other expenses for extending the activities of the division in the protection and care of mothers and conservation of the welfare of children, a sum not exceeding sixteen thousand and twenty dollars	16,020 00
		Division of Communicable Diseases:	
Division of Communicable Diseases.	553	For personal services of the director, district health officers and their assistants, epidemiologists, bacteriologist and assistants in the diagnostic laboratory, a sum not exceeding fifty-eight thousand seven hundred dollars	58,700 00

Item			
554	For services other than personal, traveling expenses, laboratory, office and other necessary supplies, including the purchase of animals and equipment, and rent of certain offices, a sum not exceeding twenty thousand dollars	\$20,000 00	Division of Communicable Diseases.
The appropriations made in the following six items are to be in addition to any federal funds now in the treasury, or hereafter received, which may be used for these purposes:			
Division of Venereal Diseases:			
555	For personal services of the division, a sum not exceeding fourteen thousand and eighty dollars	14,080 00	Division of Venereal Diseases.
556	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twenty-two thousand four hundred dollars	22,400 00	
Manufacture and Distribution of Arsphenamine:			
557	For personal services necessary for the manufacture of arsphenamine or other similar preparations, a sum not exceeding eighty-nine hundred and seventy dollars	8,970 00	Manufacture and Distribution of Arsphenamine.
558	For the purchase of chemicals and other materials, including equipment and supplies necessary for the preparation and manufacture of arsphenamine, or its equivalent, a sum not exceeding eighty-eight hundred and ninety dollars	8,890 00	
Wassermann Laboratory:			
559	For personal services of the Wassermann laboratory, a sum not exceeding eleven thousand dollars	11,000 00	Wassermann Laboratory.
560	For expenses of the Wassermann laboratory, a sum not exceeding fifty-six hundred dollars	5,600 00	
Antitoxin and Vaccine Lymph:			
561	For personal services in the investigation and production of antitoxin and vaccine lymph and other specific material for protective inoculation, and diagnosis of treatment, a sum not exceeding thirty-five thousand six hundred and twenty dollars	35,620 00	Antitoxin and Vaccine Lymph.
562	For other services, supplies, materials and equipment necessary for the production of antitoxin and other materials as enumerated above, a sum not exceeding thirty thousand dollars	30,000 00	
Inspection of Food and Drugs:			
563	For personal services of the director, analysts, inspectors and other assistants, a sum not exceeding thirty-two thousand seven hundred and fifty dollars	32,750 00	Inspection of Food and Drugs.
564	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding eleven thousand dollars	11,000 00	
Water Supply and Disposal of Sewage, Engineering Division:			
565	For personal services of the director, engineers, clerks and other assistants, a sum not exceeding thirty-eight thousand five hundred dollars	38,500 00	Water Supply and Disposal of Sewage, Engineering Division.
566	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding eighty-nine hundred dollars	8,900 00	

Item			
		Water Supply and Disposal of Sewage; Division of Laboratories:	
Water Supply and Disposal of Sewage, Division of Laboratories.	567	For personal services of laboratory director, chemists, clerks and other assistants, a sum not exceeding twenty-eight thousand dollars	\$28,000 00
	568	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding seventy-seven hundred dollars	7,700 00
		State Examiners of Plumbers:	
State Examiners of Plumbers.	569	For personal and other services and necessary supplies and equipment for the state examiners of plumbers, a sum not exceeding five thousand dollars	5,000 00
		Penikese Island:	
Penikese Island.	570	For services of a caretaker and other expenses incidental to the care of property on Penikese island, a sum not exceeding fifteen hundred dollars	1,500 00
		Total	\$460,160 00
		Division of Tuberculosis:	
Division of Tuberculosis.	571	For personal services of the director, stenographers, clerks and other assistants, a sum not exceeding fifteen thousand six hundred dollars	\$15,600 00
	572	For services other than personal, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding thirty-eight hundred dollars	3,800 00
	573	To cover the payment of certain subsidies for the maintenance of hospitals for tubercular patients, a sum not exceeding one hundred eighty thousand twenty-eight dollars and sixty-four cents	180,028 64
		Total	\$199,428 64
		For the maintenance of and for certain improvements at the sanatoria, as follows:	
Sanatoria, maintenance and improvements. Lakeville state sanatorium.	574	For the Lakeville state sanatorium, a sum not exceeding one hundred ninety-two thousand three hundred and ninety dollars	\$192,390 00
	575	For addition to water supply at the Lakeville state sanatorium, a sum not exceeding ninety-eight hundred and fifty dollars	9,850 00
North Reading state sanatorium.	576	For the North Reading state sanatorium, a sum not exceeding one hundred fifty-three thousand four hundred dollars	153,400 00
	577	For the purchase of a new engine and generator unit for the North Reading state sanatorium, a sum not exceeding seven thousand and eighty dollars	7,080 00
Rutland state sanatorium.	578	For the Rutland state sanatorium, a sum not exceeding three hundred seventeen thousand seven hundred dollars	317,700 00
Westfield state sanatorium.	579	For the Westfield state sanatorium, a sum not exceeding one hundred ninety-six thousand six hundred and ninety dollars	196,690 00
	580	For the purchase of land for the Westfield state sanatorium, a sum not exceeding nine hundred dollars	900 00
		Total	\$878,010 00

Service of the Department of Public Safety.

Item		
	Administration:	
581	For the salary of the commissioner, a sum not exceeding five thousand dollars	\$5,000 00
582	For personal services of clerks and stenographers, a sum not exceeding twenty-eight thousand two hundred and sixty dollars	28,260 00
583	For contingent services, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and moving picture licenses, as required by law, a sum not exceeding twenty-eight thousand five hundred dollars	28,500 00
	Division of State Police:	
584	For the salaries of officers, a sum not exceeding seventy-two thousand four hundred and twenty dollars	72,420 00
585	For traveling expenses of the division, a sum not exceeding twenty-eight thousand dollars	28,000 00
586	For maintenance and operation of the police steamer "Lotis", a sum not exceeding ten thousand dollars	10,000 00
587	For personal services, rent, supplies and equipment necessary in the enforcement of statutes relative to explosives and inflammable fluids and compounds, a sum not exceeding forty-five hundred dollars	4,500 00
	Division of Inspection:	
588	For the salary of the chief of inspections, a sum not exceeding thirty-eight hundred dollars	3,800 00
589	For the salaries of officers for the building inspection service, a sum not exceeding forty-five thousand one hundred and sixty dollars	45,160 00
590	For traveling expenses of officers for the building inspection service, a sum not exceeding twelve thousand dollars	12,000 00
591	For the salaries of officers for the boiler inspection service, a sum not exceeding sixty-two thousand one hundred and sixty dollars	62,160 00
592	For traveling expenses of officers for the boiler inspection service, a sum not exceeding sixteen thousand dollars	16,000 00
593	For services, supplies and equipment necessary for investigations and inspections by the division, a sum not exceeding one thousand dollars	1,000 00
	Board of Elevator Regulations:	
594	For compensation of the board of elevator regulations, a sum not exceeding four hundred and twenty dollars	420 00
595	For expenses of the board, a sum not exceeding five hundred dollars	500 00
	Board of Boiler Rules:	
596	For personal services of members of the board, a sum not exceeding one thousand dollars	1,000 00
597	For services other than personal and the necessary traveling expenses of the board, office supplies and equipment, a sum not exceeding six hundred dollars	600 00
	Total	\$319,320 00

Department
of Public
Safety.

Division of
State Police.

Division of
Inspection.

Board of
Elevator Regu-
lations.

Board of
Boiler Rules.

Item			
	598	(This item omitted.)	
		Fire Prevention District Service (the maintenance of this service, as provided in the following appropriations, is to be assessed upon certain cities and towns making up the fire prevention district, as provided by law):	
Fire Prevention District Service. State Fire Marshal.	599	For the salary of the state fire marshal, a sum not exceeding thirty-eight hundred dollars	\$3,800 00
	600	For other personal services, a sum not exceeding sixteen thousand two hundred dollars	16,200 00
	601	For other services, office rent and necessary office supplies and equipment, a sum not exceeding four thousand dollars	4,000 00
		Total	\$24,000 00
		State Boxing Commission:	
State Boxing Commission.	602	For compensation and clerical assistance for the state boxing commission, a sum not exceeding ten thousand five hundred and twenty dollars	\$10,520 00
	603	For other expenses of the commission, a sum not exceeding ten thousand three hundred and ten dollars	10,310 00
		Total	\$20,830 00
		State Police Patrol:	
State Police Patrol.	604	For personal services, a sum not exceeding one hundred sixty-four thousand dollars	\$164,000 00
	605	For other services and expenses, a sum not exceeding one hundred ninety-six thousand dollars	196,000 00
		Total	\$360,000 00
		<i>Service of the Department of Public Works.</i>	
Department of Public Works.	606	For the salaries of the commissioner and the four associate commissioners, a sum not exceeding thirty-one thousand five hundred dollars	\$31,500 00
	607	For personal services of clerks and assistants to the commissioner, a sum not exceeding thirteen thousand dollars	13,000 00
	608	For traveling expenses of the commissioner, a sum not exceeding fifteen hundred dollars	1,500 00
		Total	\$46,000 00
		Division of Highways (the following appropriations for the operation and maintenance of this division, except as otherwise provided, are made from the receipts in the Motor Vehicle Fees Fund):	
Division of Highways.	609	For the personal services of the chief engineer, engineers and office assistants, including certain clerks and stenographers, a sum not exceeding fifty-one thousand five hundred dollars	\$51,500 00
	610	For traveling expenses of the associate commissioners, when traveling in the discharge of their official duties, a sum not exceeding twenty-five hundred dollars	2,500 00
	611	For services other than personal, including printing the annual report and necessary office supplies and equipment, a sum not exceeding fourteen thousand dollars	14,000 00

Item		Division of Highways.
612	For the care, repair and storage, replacement and purchase of road-building machinery and tools, a sum not exceeding two hundred fifty thousand dollars	\$250,000 00
613	For the suppression of gypsy and brown tail moths on state highways, a sum not exceeding fifteen thousand dollars	15,000 00
614	For the construction and repair of town and county ways, a sum not exceeding seven hundred fifty thousand dollars	750,000 00
615	For aiding towns in the repair and improvement of public ways, a sum not exceeding six hundred fifty thousand dollars	650,000 00
616	For the maintenance and repair of state highways, a sum not exceeding two million nine hundred thousand dollars, of which sum three hundred seventy thousand nine hundred thirty-five dollars and sixteen cents represents the receipts from assessments upon certain cities and towns for the maintenance of state highways, and the balance from receipts in the Motor Vehicle Fees Fund	2,900,000 00
617	For the maintenance and operation of the Newburyport bridge and the Brightman street bridge in Fall River and Somerset, in accordance with the provisions of existing laws, a sum not exceeding fifty-eight thousand dollars	58,000 00
618	For the purpose of enabling the department of public works to secure federal aid for the construction of highways, a sum not exceeding one million nine hundred thousand dollars in addition to any other funds which the department has available for the purpose. Of the said sum seven hundred twenty-eight thousand four hundred twenty-three dollars and seventy-one cents represent the receipts from assessments upon counties for the construction and improvements of highways, and the balance from the receipts in the Motor Vehicle Fees Fund, and any unexpended balance remaining at the end of the present fiscal year may be used in the succeeding year for the same purposes	1,900,000 00
619	For the care of snow on highways, as provided by section eleven of chapter eighty-four of the General Laws, a sum not exceeding thirty thousand dollars	30,000 00
620	For administering the law relative to advertising signs near highways, a sum not exceeding thirteen thousand dollars, to be paid from the general fund	13,000 00
Total		<u>\$6,634,000 00</u>

Registration of Motor Vehicles:

621	For personal services, a sum not exceeding three hundred eighty-seven thousand dollars, from receipts in the Motor Vehicle Fees Fund	\$387,000 00	Registration of Motor Vehicles.
622	For services other than personal, including traveling expenses, purchase of necessary supplies, equipment and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners of motor vehicles, a sum not exceeding three hundred thirty thousand dollars, from receipts in the Motor Vehicle Fees Fund	330,000 00	
Total		<u>\$717,000 00</u>	

Item			
Special Im- provement.	623	Special Improvement: For completing the construction of certain highways in the five western counties, as authorized by and subject to the conditions of chapter five hundred and seventy-two of the acts of nineteen hundred and twenty, a sum not exceeding four hundred thousand dollars, from receipts in the Motor Vehicle Fees Fund, and to be in addition to any sum heretofore appropriated for the purpose	\$400,000 00
		Division of Waterways and Public Lands:	
Division of Waterways and Public Lands.	624	For personal services of the chief engineer and assistants, a sum not exceeding fifty-two thousand dollars	52,000 00
	625	For necessary traveling expenses of the associate commissioners, a sum not exceeding one thousand dollars	1,000 00
	626	For services other than personal, including printing and binding the annual report, and for necessary office and engineering supplies and equipment, a sum not exceeding sixty-five hundred dollars	6,500 00
	627	For the care and maintenance of the province lands, a sum not exceeding five thousand dollars	5,000 00
	628	For the maintenance of structures, and for repairing damages along the coast line or river banks of the commonwealth, and for the removal of wrecks and other obstructions from tidewaters and great ponds, a sum not exceeding twenty-five thousand dollars	25,000 00
	629	For the improvement, development and protection of rivers and harbors, tidewaters and foreshores within the commonwealth, as authorized by section eleven of chapter ninety-one of the General Laws, and of great ponds, a sum not exceeding two hundred thousand dollars, and any unexpended balance of the appropriation remaining at the end of the current fiscal year may be expended in the succeeding year for the same purposes	200,000 00
	630	For re-establishing and permanently marking certain triangular points and sections, as required by order of the land court in accordance with section thirty-three of chapter ninety-one of the General Laws, a sum not exceeding one thousand dollars	1,000 00
	631	For the supervision and operation of commonwealth pier five, including the salaries or other compensation of employees, and for the repair and replacement of equipment and other property, a sum not exceeding one hundred five thousand dollars, to be paid from the port of Boston receipts	105,000 00
	632	For the maintenance of pier one, at East Boston, a sum not exceeding nine thousand dollars, to be paid from the port of Boston receipts	9,000 00
	633	For the maintenance and improvement of commonwealth property under the control of the division, a sum not exceeding one hundred ten thousand dollars, to be paid from the port of Boston receipts	110,000 00
	634	For the operation and maintenance of the New Bedford state pier, a sum not exceeding three thousand dollars	3,000 00
	635	For the compensation of dumping inspectors, a sum not exceeding two thousand dollars, to be paid from the Waterways Fund	2,000 00

Item			
636	For continuing the work in gauging the flow of water in the streams of the commonwealth, a sum not exceeding three thousand dollars	\$3,000 00	Division of Waterways and Public Lands.
637	For supervision and operation of the commonwealth stores, a sum not exceeding ten thousand dollars	10,000 00	
	Total	\$532,500 00	
	Specials:		
638	For expenses of dredging channels and filling marsh lands, a sum not exceeding two hundred thirty-five thousand dollars, to be paid from the port of Boston receipts, and to be in addition to the amount appropriated in nineteen hundred and twenty-two	\$235,000 00	Specials.
639	For dredging minor channels in Boston harbor, a sum not exceeding fifty thousand dollars, to be paid from the port of Boston receipts, and to be in addition to the amount appropriated in nineteen hundred and twenty-two	50,000 00	
640	For the construction of streets, railroads and piers for the development of land at South Boston and East Boston, a sum not exceeding ten thousand dollars, to be paid from the port of Boston receipts, and the sum of one hundred thirty-one thousand dollars, reappropriated by chapter one hundred and twenty-nine of the acts of nineteen hundred and twenty-two for railroad track connections and certain roadways and piers at South Boston, may be used for similar improvements at East Boston	10,000 00	
641	For certain claims on account of the construction of the dry dock at South Boston, a sum not exceeding five thousand dollars, to be paid from the port of Boston receipts	5,000 00	
642	For the expense of establishing a reservation in the city of Gloucester, a sum not exceeding five hundred dollars	500 00	
	Total	\$300,500 00	
	<i>Service of the Department of Public Utilities.</i>		
643	For personal services of the commissioners, a sum not exceeding thirty-six thousand dollars, of which one-half shall be assessed upon the gas and electric light companies in accordance with the provisions of law	\$36,000 00	Department of Public Utilities.
644	For personal services of secretaries, employees of the accounting department, engineering department and rate and tariff department, a sum not exceeding thirty thousand seven hundred and fifty dollars, of which sum nine thousand ninety-seven dollars and fifty cents shall be assessed upon the gas and electric light companies in accordance with the provisions of law	30,750 00	
645	For the inspection department, personal services, a sum not exceeding thirty-three thousand six hundred and five dollars	33,605 00	
646	For personal services of clerks, messengers and office assistants, a sum not exceeding ten thousand five hundred dollars, of which one-half shall be assessed upon the gas and electric light companies in accordance with the provisions of law	10,500 00	
647	For personal services of the telephone and telegraph division, a sum not exceeding twelve thousand three hundred and twenty-five dollars	12,325 00	

Department of Public Utilities.	Item		
	648	For personal services and expenses of legal assistants and experts, a sum not exceeding two thousand dollars	\$2,000 00
	649	For stenographic reports of hearings, a sum not exceeding two thousand dollars	2,000 00
	650	For traveling expenses of the commissioners and employees, a sum not exceeding five thousand dollars	5,000 00
	651	For services other than personal, printing the annual report, office supplies and equipment, a sum not exceeding seven thousand dollars	7,000 00
	652	For stenographic reports of evidence at inquests held in cases of death by accident on or about railroads, a sum not exceeding three thousand dollars	3,000 00
		Total	<u>\$142,180 00</u>

The following items are to be assessed upon the gas and electric light companies:

Items to be assessed upon gas and electric light companies.	653	For personal services of the inspector of gas and gas meters, assistant inspectors and deputy inspectors of meters, a sum not exceeding eighteen thousand four hundred dollars	\$18,400 00
	654	For expenses of inspectors and deputies, including office rent, traveling and other necessary expenses of inspection, a sum not exceeding seven thousand dollars	7,000 00
	655	For services and expenses of expert assistants, as authorized by law, a sum not exceeding five thousand dollars	5,000 00
	656	For other services, printing the annual report, for rent of offices and for necessary office supplies and equipment, a sum not exceeding ten thousand dollars	10,000 00
	657	For the examination and tests of electric meters, a sum not exceeding six hundred dollars	600 00
		Total	<u>\$41,000 00</u>

Smoke Abatement:

Smoke abatement in Boston and vicinity.	658	For services and expenses in connection with the abatement of smoke in Boston and vicinity, under the direction and with the approval of the department of public utilities, a sum not exceeding eighty-two hundred dollars, the same to be assessed upon the cities and towns of the district named in section one of chapter six hundred and fifty-one of the acts of nineteen hundred and ten	\$8,200 00
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Sale of Securities:

Administration of law relative to sale of securities.	659	For personal services in administering the law relative to the sale of securities, a sum not exceeding fifteen thousand seven hundred dollars	\$15,700 00
	660	For expenses other than personal in administering the law relative to the sale of securities, a sum not exceeding ninety-three hundred dollars	9,300 00
		Total	<u>\$25,000 00</u>

Miscellaneous.

Bunker Hill monument, etc., maintenance.	661	For the maintenance of Bunker Hill monument and the property adjacent, to be expended by the metropolitan district commission, a sum not exceeding ten thousand dollars	\$10,000 00
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Metropolitan District Commission.

Item			Metropolitan District Com- mission.
	The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the Metropolitan District Commission:		
662	For maintenance of the Charles river basin, a sum not exceeding one hundred eighty-one thousand five hundred dollars	\$181,500 00	
663	For repairs to the Charles river lock, a sum not exceeding seventeen thousand five hundred dollars, the same to be in addition to the amount appropriated for the Charles river basin	17,500 00	
664	For maintenance of park reservations, a sum not exceeding seven hundred fifty thousand nine hundred fifty-nine dollars	750,959 00	
664½	For repairs to sea wall at Revere, a sum not exceeding sixty-six hundred dollars, the same to be in addition to the amount appropriated for park reservations	6,600 00	
665	For the expense of holding band concerts, a sum not exceeding twenty thousand dollars	20,000 00	
665½	(This item omitted.)		
666	For maintenance of the Nantasket beach reservation, a sum not exceeding seventy-five thousand dollars	75,000 00	
667	For maintenance of the Wellington bridge, a sum not exceeding ten thousand nine hundred and fifty dollars, the same to be in addition to the amount appropriated from the general fund	10,950 00	
668	For maintenance of boulevards and parkways, a sum not exceeding two hundred twenty-one thousand five hundred and fifty dollars, the same to be in addition to the amount appropriated from the general fund	221,550 00	
669	For widening and reconstructing Blue Hill River road in the Blue Hills reservation, the metropolitan district commission is hereby authorized, subject to the conditions imposed herein, to expend a sum not exceeding seventy-five thousand dollars, of which sum the county of Norfolk shall raise by taxation and pay into the treasury of the commonwealth upon the request of the state treasurer the sum of eighteen thousand seven hundred and fifty dollars, of the remainder twenty-eight thousand one hundred and twenty-five dollars shall be payable from receipts in the Motor Vehicle Fees Fund, and twenty-eight thousand one hundred and twenty-five dollars shall be made a part of the assessment upon the cities and towns of the metropolitan parks district, it being a condition of this appropriation that no expenditure shall be made hereunder by said commission until it is satisfied that all necessary steps have been taken for the widening and reconstruction of Hillside street in the town of Milton and of Blue Hill street in the town of Canton, a distance of about one mile, to junction of said Blue Hill street with Washington street in said Canton, and for the reconstruction of Blue Hill avenue in the town of Milton from the town line of said Canton to the Blue Hills parkway in said Milton, and is further satisfied that said work will be duly carried to completion	28,125 00	

	Item	
Metropolitan District Com- mission.	670	For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, a sum not exceeding three hundred thirty-three thousand seven hundred and eighty dollars
		\$333,780 00
	671	For the maintenance and operation of a system of sewage disposal for the south metropolitan district, a sum not exceeding two hundred thousand four hundred and ten dollars
		200,410 00
	672	For the maintenance and operation of the metropolitan water system, a sum not exceeding seven hundred eighty-one thousand one hundred and fifty dollars
		781,150 00
	673	For expenses of investigation and experimentation for the filtration of certain sources of water supply for the metropolitan district, a sum not exceeding twenty-five thousand dollars
		25,000 00
	Total	\$2,652,524 00

DEFICIENCIES.

Deficiencies. For deficiencies in certain appropriations of previous years, in certain items, as follows:

Legislative Department.

Legislative Department.	For stationery for the senate, purchased by and with the approval of the clerk, the sum of ninety-one dollars and twenty-five cents	\$91 25
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Judicial Department.

Judicial De- partment. Superior Court.	Superior Court: For traveling allowances and expenses, the sum of nine hundred forty-four dollars and thirty-three cents	944 33
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Probate and Insolvency Courts.	Probate and Insolvency Courts: For the compensation of judges of probate when acting outside of their own county for other judges of probate, the sum of five hundred and twenty dollars	520 00
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District Attorneys.	District Attorneys: For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, the sum of one hundred twenty-nine dollars and seventy-six cents	129 76
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Department of the Secretary of the Commonwealth.

Secretary of the Common- wealth.	For printing laws, etc.: For printing and binding public documents, the sum of forty-nine hundred eighty-two dollars and eighty-seven cents	4,982 87
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	For matters relating to elections: For expenses of publication of lists of candidates and forms of questions before state elections, the sum of seventeen thousand five hundred eleven dollars and eighty-six cents	17,511 86
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Item

Service of the Chief Quartermaster.

For personal services of other employees of the chief quartermaster, the sum of eighty-three dollars and eighty-seven cents	\$83 87	Chief Quartermaster.
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Bounty on Seals.

For bounties on seals, the sum of sixty-five dollars .	65 00	Bounty on Seals.
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Payments to Families of Deceased Firemen.

For payment in accordance with law of such claims as may arise in consequence of the death of firemen and of persons acting as firemen, from injuries received in the discharge of their duties, the sum of thirteen thousand dollars	13,000 00	Payments to Families of Deceased Firemen.
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Attorney General.

For services other than personal, traveling expenses, office supplies and equipment, the sum of fifteen hundred forty-seven dollars and fifty-nine cents .	1,547 59	Attorney General.
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Department of Education.

For the reimbursement of certain towns for the payment of tuition of children attending high schools outside the towns in which they reside, as provided by law, the sum of three hundred twenty-two dollars and twenty-five cents . . .	322 25	Department of Education.
For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law, the sum of two hundred ninety dollars and forty-eight cents	290 48	

Board of Dental Examiners.

For other services, including printing the annual report, and for rent, traveling expenses, office supplies and equipment, the sum of two hundred and fifty dollars	250 00	Board of Dental Examiners.
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Department of Industrial Accidents.

For other services, printing the annual report, necessary office supplies and equipment, the sum of sixteen hundred forty-seven dollars and fifty-six cents	1,647 56	Department of Industrial Accidents.
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Trustees of the Massachusetts Training Schools.

For reimbursement of cities and towns for tuition of children attending the public schools, the sum of thirty-seven hundred eighty-six dollars and twenty-seven cents	3,786 27	Trustees of Massachusetts Training Schools.
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Department of Public Health.

Administration:

For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, the sum of sixteen hundred eighty-five dollars and forty-one cents . . .	1,685 41	Department of Public Health.
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Item	
Division of Hygiene.	Division of Hygiene: For services other than personal, traveling expenses, office supplies and equipment, the sum of two hundred five dollars and twenty-eight cents . \$205 28

Department of Public Works.

Department of Public Works. Division of Highways.	Division of Highways: For the maintenance and operation of the Newburyport bridge and the Brightman street bridge in Fall River and Somerset, in accordance with the provisions of existing laws, the sum of eighty-one dollars and twenty-five cents 81 25
	Total \$47,145 03
	General Fund \$42,425,093 69
	Metropolitan District 2,652,524 00
	Grand Total \$45,077,617 69

No payment to be made which exceeds allotment of expenditure made for certain purposes.

SECTION 3. No payment shall be made or obligation incurred under the authority of an appropriation made for construction of public buildings under this act in cases where the bid for contracts, proposed for acceptance, exceeds the allotment of expenditure upon which the appropriation is based.

Written approval of governor and council required for certain expenditures. Budget commissioner to send copies of two foregoing sections to heads of departments, etc.

SECTION 4. No expenditures in excess of appropriations provided for under this act shall be incurred by any department or institution, except in cases of emergency, and then only upon the prior written approval of the governor and council.

SECTION 5. The budget commissioner is hereby directed to send a copy of the two foregoing sections to each departmental, divisional and institutional head immediately following the passage of this act.

SECTION 6. This act shall take effect upon its passage.

Approved March 14, 1923.

Chap.127 AN ACT AUTHORIZING THE CITY OF BOSTON TO DISCHARGE ITS OBLIGATION TO REIMBURSE THE D. DOHERTY COMPANY FOR LOSSES SUSTAINED IN CERTAIN COAL DELIVERIES.

Be it enacted, etc., as follows:

City of Boston may discharge its obligation to reimburse D. Doherty Company for certain losses.

- The city of Boston may reimburse the D. Doherty Company to an amount not exceeding five thousand thirty dollars and ninety-one cents for the losses sustained by said company in supplying coal for use in the schools of said city during the winter of nineteen hundred and nineteen and nineteen hundred and twenty, under a contract dated April twelfth, nineteen hundred and nineteen, notwithstanding that said company was discharged from its obligation to make deliveries thereunder by reason of seizures of its coal by the federal government.

Approved March 14, 1923.

AN ACT RELATIVE TO THE COLLECTION OF LOCAL TAXES.
Be it enacted, etc., as follows:

SECTION 1. Chapter sixty of the General Laws is hereby amended by striking out section nine and inserting in place thereof the following: — *Section 9.* When all the taxes which have been committed to a collector have been collected or abated, or, in any event, at the end of three years from the date of their commitment to him, he shall deposit with the clerk of the town where he held such office all his accounts, records and papers, including his warrant, which relate to the assessment and collection of such taxes, if not required by section ninety-seven to deposit them sooner with the assessors of such town.

G. L. 60, § 9,
amended.

Accounts,
records, etc.,
of collectors of
taxes, deposit
with city or
town clerk,
when.

SECTION 2. Sections ten and eleven of said chapter sixty are hereby repealed.

G. L. 60,
§§ 10, 11, re-
pealed.

G. L. 60 § 12,
amended.

SECTION 3. Section twelve of said chapter sixty is hereby amended by striking out, in the first line, the words “, or collector” and inserting in place thereof the words: — or an assessor, — so as to read as follows: — *Section 12.* A town clerk or an assessor, having knowledge of any accounts, records or papers relating to taxes in his town which should be in his custody, shall demand them of any person having them, who shall forthwith deliver them to him.

Clerk or as-
sessor to de-
mand any
books, etc.,
that should be
in his custody.

SECTION 4. Said chapter sixty is hereby further amended by striking out section seventeen and inserting in place thereof the following: — *Section 17.* If any tax, betterment or special assessment remains unpaid fourteen days after demand therefor, the collector, in the case of any tax, betterment or special assessment upon real estate, within one year from October first in the year of assessment, and, in case of any other tax, within two years from said October first, shall collect the tax, together with all incidental charges and fees, in the manner provided by law.

G. L. 60, § 17,
amended.

Collection of
unpaid taxes,
etc.

SECTION 5. Said chapter sixty is hereby further amended by striking out section ninety-seven and inserting in place thereof the following: — *Section 97.* Except as provided in section nine, if a collector ceases to hold the office of collector for any reason other than because of the expiration of the term of office of a collector who is not paid by a fixed salary and his failure to be reappointed or re-elected, all his accounts, records and papers, except his warrant, which relate to the assessment and collection of taxes in his town shall, forthwith after an audit thereof has been made by a competent accountant, be deposited by him, or his executor or administrator, or any other person into whose possession they may come, with the assessors of such town, who thereupon shall turn over his uncollected tax lists to his successor, together with their warrant, which shall cover the uncollected accounts of the original commitment as shown on said lists and shall also turn over all his accounts, records and papers so deposited with them, except said lists, to the clerk of said town. If the collector is his own successor, he shall complete the collection of the taxes as a part of the duties of his new term of office and not as a part of the duties of his former term of office.

G. L. 60, § 97,
amended.

Accounts,
records, etc.,
of collectors of
taxes, deposit
with assessors,
when.

Uncollected tax
lists, etc., to be
turned over to
successor, etc.

Collector as
own successor.

G. L. 60,
§ 100, amended.

Penalty on col-
lector, etc.,
for failure to
turn over
accounts, etc.

SECTION 6. Section one hundred of said chapter sixty is hereby amended by striking out, in the third line, the words "sections nine to twelve, inclusive," and inserting in place thereof the words:— section nine, twelve or ninety-seven, — so as to read as follows:— *Section 100.* Violation by a collector, former collector, or an executor or administrator of a collector or former collector, of any provision of section nine, twelve or ninety-seven shall be punished by a fine of not more than five hundred dollars.

Approved March 14, 1923.

Chap.129 AN ACT AUTHORIZING THE CITY OF MALDEN TO PENSION WILLIAM ENSLIN.

Be it enacted, etc., as follows:

City of Malden
may pension
William
Enslin.

SECTION 1. The city of Malden may retire William Enslin, for more than twenty-five years a faithful employee in its cemetery department, on an annual pension, not to exceed seven hundred and twenty dollars, payable in equal monthly instalments.

To be sub-
mitted to city
council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 14, 1923.

Chap.130 AN ACT EXEMPTING FROM CIVIL SERVICE CLERICAL EMPLOYEES IN THE REGISTRIES OF PROBATE OF CERTAIN COUNTIES.

Be it enacted, etc., as follows:

G. L. 31, § 5,
amended.

Positions
exempt from
civil service.

Section five of chapter thirty-one of the General Laws is hereby amended by inserting after the word "city" in the ninth line the words:— except as otherwise provided by the preceding section, — and by inserting after the word "city" in the fifteenth line the words:— ; clerical employees in the registries of probate of all the counties, — so as to read as follows:— *Section 5.* No rule made by the board shall apply to the selection or appointment of any of the following:

Judicial officers; officers elected by the people or, except as otherwise expressly provided in this chapter, by a city council; officers whose appointment is subject to confirmation by the executive council, or by the city council of any city; officers whose appointment is subject to the approval of the governor and council; officers elected by either branch of the general court and the appointees of such officers; heads of principal departments of the commonwealth or of a city except as otherwise provided by the preceding section; directors of divisions authorized by law in the departments of the commonwealth; employees of the state treasurer appointed under section five of chapter ten, employees of the commissioner of banks, and of the treasurer and collector of taxes of any city; two employees of the city clerk of any city; public school teachers; secretaries and confidential stenographers of the governor, or of the mayor of any city; clerical employees in the registries of probate of all the counties;

police and fire commissioners and chief marshals or chiefs of police and of fire departments, except as provided in section forty-nine; and such others as are by law exempt from the operation of this chapter.

Approved March 15, 1923.

AN ACT RELATIVE TO THE LISTING OF VOTERS IN THE CITY OF *Chap.131*
LOWELL.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and fifty-four of the acts of nineteen hundred and twenty, as amended in section four by section three of chapter one hundred and fifteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section four and inserting in place thereof the following:— *Section 4.* The commission shall, under the provisions of law, have general supervision of all elections, of the appointment, supervision and compensation of precinct officers, and of the location of polling booths; and may employ such persons as they may deem necessary in the performance of their duties; provided, however, that among the persons so employed after the passage of this act, the two dominant political parties shall at all times be equally represented; and provided, further, that nothing contained herein shall be construed as affecting present employees of the registrars of voters, who were employed by them as of January first, nineteen hundred and twenty. The commission shall daily during its office hours hold sessions for the registration of voters, excepting where limited by the provisions of the general laws. Whenever, in its opinion, public convenience or necessity so requires, the commission may order sessions for the registering of voters to be held in any of the several voting precincts, or at the principal office of the commission, and it may require suitable accommodations and necessary records in connection therewith, and it may, furthermore, prepare voting lists of the voters in the several voting precincts by streets or in alphabetical order as provided in section fifty-five of chapter fifty-one of the General Laws. The commission shall at all times maintain suitable records which shall, unless it is otherwise provided by law, be open to public inspection. In case of a tie vote or other disagreement in said commission, the state secretary or one of his deputies designated by him shall, for the purpose of settling the disagreement or breaking the tie vote, be a member of said commission and shall preside and cast the deciding vote. Each election commissioner shall receive two thousand dollars annually or such salary, not to exceed two thousand dollars, as the mayor and city council may by ordinance prescribe.

1920, 154, etc., amended.

Election commission in city of Lowell to supervise all elections, etc.

Provisos.

May order sessions for registering of voters.

Records open to public inspection unless, etc.

State secretary, etc., to be member of commission, etc., in case of disagreement, etc.

Salaries.

SECTION 2. Said chapter one hundred and fifty-four is hereby further amended by inserting after section four the following new sections:— *Section 5.* There is hereby established in the city of Lowell a listing board composed of the chief of police of the city and the members of the election commission ex officio.

1920, 154, new sections after § 4.

Listing board in city of Lowell established, etc.

To make lists
of persons,
etc.

Buildings used
as residences
to be desig-
nated, etc.

Names of in-
formants to be
placed in lists,
etc.

To transmit
copy of lists
to election
commission,
etc.

To correct
errors in lists,
etc.

Preservation of
applications,
etc.

To transmit
to assessors
certified copies
of parts of lists,
etc.

Section 6. The listing board shall, within the first seven week days of April in each year, by itself or by police officers, visit every building in the city of Lowell, and, after diligent inquiry, make true lists, arranged by streets, wards and voting precincts, and containing as nearly as the board can ascertain, the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every person, twenty years of age or upward, who is not a pauper in a public institution, residing in the city. The said board shall designate in such lists all buildings used as residences by such persons, in their order on the street where they are situated, by giving the number or other definite description of every such building so that it can readily be identified, and shall place opposite the number or other description of every such building the name, age and occupation of every such person residing therein on the first day of April in the current year, and his residence on the first day of April in the preceding year.

The board shall place in the lists made by it, opposite the name of every such person, the name of the inmate, owner or occupant of the building, or the name and residence of any other person, who gives the information relating to such person. Where such information is given by one informant relating to more than one such person residing in one building, ditto marks may be used in the said lists under the name of the informant, after his name has once been placed opposite the name of the person first written down as residing in such building.

The board shall transmit a copy of said lists to the election commission not later than the eighteenth day of April; except that if in any year the chief of police shall believe it to be impracticable, because of any public exigency requiring unusual service from the police force of the city, to complete within the first seven week days of April the said visitation, and to transmit to the election commission and the assessors on or before the eighteenth day of April copies of the lists described in this section or the required parts thereof, he shall have authority, after giving notice in writing to the listing board, to take such further time for such visitation and transmission, not exceeding ten week days, as he shall deem necessary.

The board shall, upon the personal application of a person listed for the correction of any error in its lists, or whenever informed of any such error, make due investigation, and upon proof thereof correct the same on its lists, and shall immediately notify the election commission of such correction, who shall correct its copies of said lists accordingly and proceed to revise and correct the registers under the provisions of section thirty-eight of chapter fifty-one of the General Laws. The board shall cause all applications and affidavits received by it under this section to be preserved for two years.

Section 7. The listing board shall, on or before the eighteenth day of April in each year, or within such further time as may be taken under the preceding section, transmit to the assessors certified copies of those parts of the lists prepared as provided in said section, containing the name, age, occupation and resi-

dence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person twenty years of age or upward listed under said section, and shall promptly transmit to the assessors notice of every addition to and correction in the lists made by it. Instead of visiting every building in said city and making their own lists for assessment of poll taxes, as required in section four of chapter fifty-one of the General Laws, the assessors may use the lists furnished to them by the listing board, or such parts thereof as they deem advisable. The board shall furnish all information in its possession necessary to aid the assessors in the performance of their duties.

Assessors may use, for assessment of poll taxes, lists furnished by listing board, etc.

Section 8. The listing board shall, on or before the first day of June in each year, prepare printed copies of the lists prepared for the use of the assessors. The board shall print such lists in pamphlet form by precincts, deliver to the assessors as many copies thereof as they may require, and hold the remaining copies for public distribution.

To prepare printed copies of lists, etc.

Section 9. If a person, twenty years of age or upward, resident in Lowell on the first day of April, was not listed by the listing board, he shall, in order to establish his right to be listed, appear before it at such time as it may designate, the members of which are hereby authorized to administer oaths for this purpose, and present under oath a statement in writing that he was on said day a resident of said city, giving his name, age, occupation and residence on the first day of April in the current year, and his residence on the first day of April in the preceding year.

Listing of persons not previously listed.

A person, twenty years of age or upward, who becomes a resident of said city after the first day of April and desires to be listed, shall appear before any member of the listing board, who is hereby authorized to administer oaths for this purpose, and present under oath a statement in writing that he became a resident of said city at least six months immediately preceding the election at which he claims the right to vote, giving his name, age, occupation and residence, and his residence immediately prior to said six months' period and on the first day of April in the current year and in the preceding year.

Certain persons desiring to be listed to present a petition in writing, etc.

If the listing board, after investigation, is satisfied that such statements are true, it shall list the applicant and give him a certificate that he was a resident of said city on said first day of April, or a certificate that he became a resident at least six months immediately preceding the election, as the case may be, which certificate shall state his name, age and occupation, and his residence on the first day of April in the current year and in the preceding year and, if he became a resident of said city after April first in the current year, his residence immediately prior to said six months' period; and no such person shall be listed or be given the said certificate later than the twenty-first day preceding the state or municipal election. The board shall not, after the last day for making the said application before a state election, receive an application until after the election.

To list applicant and give certificate in certain cases, etc.

In every place where oaths are administered for the purpose of listing, the listing board shall post in a conspicuous place a copy of section seven of chapter fifty-six of the General Laws,

To post copy of certain law prescribing penalty.

printed on white paper with black ink, in type not less than one quarter of an inch wide.

Records of applications to be kept, etc.

Newspaper publication of names, etc.

The listing board shall enter the date of application, the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every such applicant, as above provided, together with the result of its investigation of his application, in a book provided for that purpose, which shall be open to public inspection. The board shall cause to be printed in some newspaper published in Lowell, the name and residence of every such applicant. The names and residences of the applicants shall be printed by wards and precincts within two days after the number of names of applicants, not printed, reaches fifty; and on the day when that number is reached, the names to be printed within the said two days shall include the names of all such applicants up to the close of business for this purpose in the office of the board on the said day.

Election commission to prepare annual register, etc.

Section 10. The election commission shall, after the first day of April in each year, prepare an annual register containing the names of all qualified voters in Lowell for the current year, beginning with the first day of April. The names shall be arranged by precincts and, opposite the name of each voter, shall be entered his residence on the preceding first day of April or any subsequent day when he became a resident of said city. The commission shall enter in the annual register every name contained in the lists, for the current year, of persons transmitted to it by the listing board, giving, as the residence of each person on the first day of April, the place at which he was listed by said board; provided, that in every case the commission is able to identify the name so transmitted as that of a man or woman whose name was borne on the voting list of said city at the last preceding election. The commission shall make all inquiries and investigations necessary to identify such person, and shall not enter in the annual register the name of a person objected to by any member of the commission, until such person has been duly notified and given an opportunity to be heard by the commission, and shall have appeared and satisfied it of his right to have his name so entered. The commission shall forthwith enter in the annual register the name of every person whose qualifications as a voter have been determined by it in the current year and whose name has accordingly been entered in the general register. The commission shall, on or before the first Monday of August in each year, send notice in writing by mail to each male and female voter of the preceding year whose name has not been entered in the annual register of the current year that his name has not so been entered.

Entries.

Proviso.

Commission to make inquiries, investigations, etc.

Notice to voters whose names have not been entered in annual register.

Personal application for registration necessary in certain cases.

Section 11. Every person, male or female, whose name has not been entered in the annual register in accordance with the preceding section, shall, in order to be registered as a voter, apply in person for registration and prove that he is qualified to be registered.

G. L. 50, § 1, amended.

SECTION 3. Section one of chapter fifty of the General Laws is hereby amended by adding after the word "elections" in

the thirty-first line, the following new paragraph: — “Listing board”, a board established by special law in a particular city or town to prepare lists of persons of voting age resident in the city or town and perform certain other duties in connection with said lists.

“Listing board,” term defined.

SECTION 4. Section four of chapter fifty-one of the General Laws is hereby amended by inserting at the beginning thereof the words: — Except as otherwise provided by law, — and by striking out, in the tenth and in the twenty-fourth lines, the words “Boston, Cambridge, Chelsea and Watertown” and inserting in place thereof in each instance the words: — cities and towns having listing boards, — so as to read as follows: — *Section 4.* Except as otherwise provided by law, the assessors, assistant assessors, or one or more of them, shall annually, in April or May, visit every building in their respective cities and towns and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, age, occupation, and residence on April first in the current year, and the residence on April first in the preceding year, of every male person twenty years of age or older, residing in their respective cities and towns, liable to be assessed for a poll tax, and of soldiers and sailors exempted from the payment of a poll tax under section five of chapter fifty-nine; and, except in cities and towns having listing boards, shall also make true lists containing the same facts relative to every woman twenty years of age or older residing in their respective cities and towns.

G. L. 51, § 4, amended.

Assessors to make lists of persons liable to a poll tax and of women voters, etc.

Any inmate of the soldiers’ home in Chelsea shall have the same right as any other resident of that city to be assessed and to vote therein.

Inmates of soldiers’ home in Chelsea, assessment, etc.

The assessors shall, upon the personal application of an assessed or listed person for the correction of any error in their original lists, and whenever informed of any such error, make due investigation, and, upon proof thereof, correct the same on their books. When informed of the omission of the name of a person who is averred to have lived in the city or town on April first in the current year, and to have been assessed, or listed as provided in this section, there in the preceding year, they shall make due investigation, and, upon proof thereof, add the name to their books, and, except in cities and towns having listing boards, give immediate notice thereof to the registrars of voters. They shall preserve for two years all applications, certificates and affidavits received by them under this section.

Assessors to correct errors and supply omissions.

Preservation of applications, etc.

SECTION 5. Section five of said chapter fifty-one is hereby amended by striking out, in the first and second lines, the words “Boston, Cambridge, Chelsea and Watertown”, and inserting in place thereof the words: — cities and towns having listing boards, — so as to read as follows: — *Section 5.* The assessors, except in cities and towns having listing boards, shall, before June fifteenth in each year, transmit to the registrars of voters the lists required by the preceding section, or certified copies thereof, and shall promptly transmit to the registrars and to the collector of taxes notice of every addition to and correction in the lists made by them. Every assessor, assistant assessor and

G. L. 51, § 5, amended.

Assessors to transmit lists to registrars and collectors, etc.

collector of taxes shall furnish all information in his possession necessary to aid the registrars in the performance of their duties.

G. L. 51, § 6,
amended.

Assessors of
cities and
certain towns
to prepare
street lists, etc.

SECTION 6. Said chapter fifty-one is hereby further amended by striking out section six and inserting in place thereof the following: — *Section 6.* Except in cities and towns having listing boards, the assessors of cities shall, on or before June fifteenth in each year, and the assessors of towns having over five thousand inhabitants, according to the latest national or state census, shall, on or before July first in each year, prepare street lists containing the names of all persons listed by them under section four for the current year. Such lists shall be arranged by the smallest subdivision of the city or town for the purpose of voting. They shall print such lists in pamphlet form, shall deliver to the registrars as many copies thereof as they may require, and shall hold the remaining copies for public distribution. In all other towns they shall, on or before July first in each year, cause such lists to be prepared and conspicuously posted in two or more public places in every such town, and such lists may be arranged alphabetically by names of persons, or by streets.

Lists to be
posted in
certain towns.

G. L. 51, § 7,
amended.

Form and con-
tents of street
lists.

SECTION 7. Section seven of said chapter fifty-one is hereby amended by striking out, in the first line, the words "Boston, Cambridge, Chelsea and Watertown" and inserting in place thereof the words: — cities and towns having listing boards, — so as to read as follows: — *Section 7.* Except in cities and towns having listing boards, the assessors shall name or designate in such street lists all buildings used as residences, in their order on the street where they are located, by giving the number or other definite description of each building so that it can be readily identified, and shall place opposite to or under each number or other description of a building the name, age and occupation of every person residing therein on April first of the current year who is listed under section four, and his residence on April first of the preceding year.

G. L. 51, § 8,
amended.

Assessment or
listing of
persons not
previously
assessed or
listed.

SECTION 8. Section eight of said chapter fifty-one is hereby amended by striking out, in the first and second lines, the words "Boston, Cambridge, Chelsea and Watertown" and inserting in place thereof the words: — in one having a listing board, — so as to read as follows: — *Section 8.* If a male resident in a city or town, except in one having a listing board, on April first was not assessed for a poll tax, or if an exempted soldier or sailor or a woman in such a city or town was not listed under section four, such person shall, in order to establish his right to be assessed or listed, present to the assessors before the close of registration a sworn statement that he was on said day a resident of such city or town, and a sworn list of his polls and estate. If the assessors are satisfied that such statement is true, they shall assess or list him, as the case may be, and give him a certificate thereof.

G. L. 51, § 9,
amended.

SECTION 9. Section nine of said chapter fifty-one is hereby amended by striking out, in the second line, the words "Boston, Cambridge, Chelsea and Watertown" and inserting in place thereof the words: — one having a listing board, — so as to read

as follows:— *Section 9.* A person who becomes a resident of a city or town, except one having a listing board, after April first and desires to be registered as a voter shall present to the assessors a sworn statement that he has been a resident therein for six months immediately preceding the election at which he claims the right to vote. If the assessors are satisfied that such statement is true, they shall give him a certificate that he has been a resident in such city or town for the six months preceding the election, and shall forthwith notify the registrars of voters of the city or town, if in the commonwealth, where such person resided on April first, that they have given such certificate.

Certain persons desiring to be registered to present statement to assessors, etc.

SECTION 10. Section eleven of said chapter fifty-one is hereby amended by striking out, in the first and second lines, the words "Boston, Cambridge, Chelsea and Watertown" and inserting in place thereof the words:— cities and towns having listing boards, — so as to read as follows:— *Section 11.* The assessors, except in cities and towns having listing boards, shall enter the name and residence of each person assessed or certified under section eight or section nine in a book provided therefor.

G. L. 51, § 11, amended.

Records of persons assessed, etc., to be kept.

SECTION 11. Section thirty-five of said chapter fifty-one is hereby amended by striking out, in the first and second lines, the words "Boston, Cambridge, Chelsea and Watertown" and inserting in place thereof the words:— cities and towns having listing boards, — so as to read as follows:— *Section 35.* Except in cities and towns having listing boards, registrars shall compare all notices of omitted assessments, transmitted to them by the assessors under section four, with the annual register of voters for the previous year, and if it appears to their satisfaction that any of said omitted assessments is that of a person entitled to vote in such previous year they may before the close of registration enter such name on the current annual register. In every case they shall require the vote by virtue of which such entry or correction is made to be attested by their clerk.

G. L. 51, § 35, amended.

Registrars to compare notices of omitted assessments, etc.

Clerk to attest vote.

SECTION 12. Section thirty-seven of said chapter fifty-one, as amended by section two of chapter two hundred and nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the last sentence and inserting in place thereof the following:— This section shall not apply to cities and towns having listing boards, — so as to read as follows:— *Section 37.* The registrars, after April first, shall prepare an annual register containing the names of all qualified voters in their city or town for the current year, beginning with said day. Such names shall be arranged in alphabetical order, and, opposite to the name of each voter, his residence on April first preceding or on any subsequent day when he became an inhabitant of the city or town. The registrars shall enter in the annual register every name contained in the lists transmitted to them by the assessors under section five, which they can identify as that of a person whose name was borne on the voting list of the city or town at the last preceding election or town meeting, giving the residence of each such person on April first, which, in the case of a person assessed a poll tax, shall be the place at which he was so assessed. They shall make all inquiries and investigations

G. L. 51, § 37, etc., amended.

Registrars to prepare annual register, etc.

Entries.

To make inquiries,

investigations,
etc.

Notice to voters
whose names
have not been
entered in
register.

Not applicable
to certain cities
and towns.

G. L. 51, § 39,
amended.

Registrars to
transmit to
assessors notice
of error, etc..

G. L. 51, § 42,
amended.

Persons whose
names are not
on annual
register must
apply in per-
son for regis-
tration, etc.

G. L. 51, § 43,
amended.

Male applicant
for registration
to present tax
bill or certifi-
cate, etc.

G. L. 56, § 2,
etc., amended.

Penalty for
false listing in
cities or towns

necessary to identify such person, and they shall not enter in the annual register the name of a person objected to by any registrar until such person has been duly notified and given an opportunity to be heard. They shall forthwith enter in the annual register the name of every person whose qualifications as a voter have been determined by them in the current year and whose name has accordingly been entered in the general register. They shall, on or before the first Monday of August in each year, send notice in writing by mail to each voter of the preceding year whose name has not been entered in the annual register of the current year that his or her name has not been so entered. This section shall not apply to cities and towns having listing boards.

SECTION 13. Section thirty-nine of said chapter fifty-one is hereby amended by striking out the last sentence and inserting in place thereof the following: — This section shall not apply to cities and towns having listing boards, — so as to read as follows: — *Section 39.* The registrars shall promptly transmit to the assessors notice of every error which they discover in the name or residence of a person assessed. This section shall not apply to cities and towns having listing boards.

SECTION 14. Section forty-two of said chapter fifty-one is hereby amended by striking out, in the fourth line, the words “Boston, Cambridge, Chelsea or Watertown” and inserting in place thereof the words: — a city or town having a listing board, — so as to read as follows: — *Section 42.* Every person, male or female, whose name has not been entered on the annual register in accordance with section thirty-four, thirty-five or thirty-seven, or a corresponding provision of law applicable to a city or town having a listing board, must, in order to be registered, apply in person for registration and prove that he is qualified.

SECTION 15. Section forty-three of said chapter fifty-one is hereby amended by striking out, in the first and second lines, the words “Boston, Cambridge, Chelsea and Watertown” and inserting in place thereof the words: — cities and towns having listing boards, — so as to read as follows: — *Section 43.* Every male applicant for registration, except in cities and towns having listing boards, whose name has not been transmitted to the registrars as provided in section five, shall present a tax bill or notice from the collector of taxes, or a certificate from the assessors showing that he was assessed as a resident of the city or town on April first preceding, or a certificate that he became a resident therein at least six months preceding the election at which he claims the right to vote, and the same shall be prima facie evidence of his residence.

SECTION 16. Section two of chapter fifty-six of the General Laws, as amended by section six of chapter one hundred and fourteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the second line, the words “Boston, Cambridge, Chelsea or Watertown” and inserting in place thereof the words: — a city or town having a listing board, — so as to read as follows: — *Section 2.* A member of the listing board or a police officer or interpreter in a city or town

having a listing board who knowingly enters on any list of persons, or causes, or allows to be entered thereon, or reports the name of any person as a resident of a building, who is not a resident thereof, shall be punished by imprisonment for not more than one year.

having a listing board.

SECTION 17. Section four of said chapter fifty-six is hereby amended by striking out, in the first and second lines, the words "Boston, Cambridge, Chelsea or Watertown" and inserting in place thereof the words: — a city or town having a listing board, — so as to read as follows: — *Section 4.* A member of the listing board or a police officer in a city or town having a listing board upon whom a duty is imposed by any law relating to the listing or registration of voters, who refuses or wilfully fails to perform such duty, or who wilfully performs it contrary to law, shall, if no other penalty is specifically provided, be punished by imprisonment for not more than one year.

G. L. 56, § 4, amended.

Penalty for neglect of duty by member of listing board, etc., in cities or towns having a listing board.

SECTION 18. Section five of said chapter fifty-six, as amended by section seven of chapter one hundred and fourteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the fourth and fifth lines, the words "Boston, Cambridge, Chelsea or Watertown" and inserting in place thereof the words: — a city or town having a listing board, — so as to read as follows: — *Section 5.* Whoever, being an inmate of a building and a resident twenty years of age or upward, refuses or neglects to give his or her true name when asked by an assessor or assistant assessor or, in a city or town having a listing board, by a member of the listing board or a police officer, or whoever, being an owner or occupant of a building, or a clerk, superintendent, manager or other person having in charge the affairs of a hotel or lodging house, refuses or neglects to give the full and true information within his or her knowledge relating to all persons residing in such building, when asked by such assessor or other officer, shall be punished by imprisonment for not more than three months.

G. L. 56, § 5, etc., amended.

Penalty for failure to give name or information to assessor, member of listing board, etc.

SECTION 19. Section six of said chapter fifty-six, as amended by section eight of said chapter one hundred and fourteen, is hereby further amended by striking out, in the third and fourth lines, the words "Boston, Cambridge, Chelsea or Watertown" and inserting in place thereof the words: — a city or town having a listing board, — and by striking out, in the eighth line, the word "town" and inserting in place thereof the word: — towns, — so as to read as follows: — *Section 6.* Whoever knowingly gives to an assessor or assistant assessor, for the purpose of the assessment of a poll tax or in a city or town having a listing board to a member of the listing board or a police officer, for the purpose of making a list of residents twenty years of age or upward or a report under the laws relating to listing and registration of voters in said cities and towns, the name of any person as a resident of a building, who is not a resident thereof, shall be punished by imprisonment for not more than one year.

G. L. 56, § 6, etc., amended.

Penalty for giving false information to assessor, member of listing board, etc.

SECTION 20. Section seven of said chapter fifty-six, as amended by section fourteen of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, is hereby

G. L. 56, § 7, etc., amended.

Penalty for false oath, etc., relative to qualifications for assessment, etc.

G. L. 56, § 8, amended.

Penalty for aiding or abetting false oath, etc., relative to qualifications for being listed, etc.

further amended by striking out, in the fifth line, the word "Cambridge," — so as to read as follows: — *Section 7.* Whoever knowingly or wilfully makes a false affidavit, takes a false oath or signs a false certificate relative to the qualifications of any person for assessment, listing or registration, or in Chelsea or Watertown for being given a certificate of residence by the assessors, shall be punished by imprisonment for not more than one year.

SECTION 21. Section eight of said chapter fifty-six is hereby amended by striking out, in the first line, the words "Boston, Cambridge, Chelsea or Watertown" and inserting in place thereof the words: — a city or town having a listing board, — and by striking out, in the fourth line, the word "Cambridge," — so as to read as follows: — *Section 8.* Whoever in a city or town having a listing board aids or abets a person in knowingly or wilfully making a false affidavit, taking a false oath or signing a false certificate, relative to the qualifications of any person for being listed as a resident thereof, or in Chelsea or Watertown for being given a certificate of such residence by the assessors, shall be punished by imprisonment for not more than one year.

SECTION 22. This act shall take effect upon its passage.

Approved March 21, 1923.

Chap.132 AN ACT AUTHORIZING THE CITY OF CHELSEA TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of Chelsea may borrow money for school purposes.

SECTION 1. For the purposes of acquiring land for and of constructing high school buildings or additions to existing school buildings increasing the floor space thereof, and of originally equipping and furnishing said buildings or additions, the city of Chelsea may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, seven hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Chelsea High School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Chelsea High School Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1923.

Chap.133 AN ACT PROVIDING FOR THE COLLECTION BY THE COMMISSIONER OF CORPORATIONS AND TAXATION OF CERTAIN TAXES, THE COLLECTION OF WHICH WAS NOT TRANSFERRED TO HIM BY CHAPTER FIVE HUNDRED AND TWENTY OF THE ACTS OF NINETEEN HUNDRED AND TWENTY-TWO.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose by causing unnecessary delay in the collection of certain taxes, owing to the fact that the commissioner of corporations and taxation now has the best facilities for collect-

ing taxes due the commonwealth, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

From and after the date this act takes effect, all the rights, powers, duties and obligations of the state treasurer, relative to the collection of taxes assessed under authority of the provisions of chapters two hundred and fifty-three and two hundred and fifty-five of the General Acts of nineteen hundred and eighteen, chapter three hundred and forty-two of the General Acts of nineteen hundred and nineteen, chapters five hundred and fifty and six hundred of the acts of nineteen hundred and twenty and chapter four hundred and ninety-three of the acts of nineteen hundred and twenty-one, are hereby transferred to the commissioner of corporations and taxation. All taxes assessed as aforesaid which shall have been committed to the state treasurer for collection prior to said date are hereby recommitted to said commissioner.

Collection of certain taxes transferred from state treasurer to commissioner of corporations and taxation.

Approved March 21, 1923.

AN ACT AUTHORIZING THE TOWN OF SWAMPSCOTT TO MAKE AN ADDITIONAL WATER LOAN. Chap. 134

Be it enacted, etc., as follows:

SECTION 1. For the purpose of extending and relaying its water mains and improving its water distribution facilities, the town of Swampscott may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Swampscott Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Swampscott may make an additional water loan.

Swampscott Water Loan, Act of 1923.

SECTION 2. Said town shall, at the time of authorizing the said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act shall, without further vote, be assessed by the assessors of said town annually thereafter in the same manner as other taxes, until the debt incurred hereunder is extinguished.

Payment of loan.

SECTION 3. This act shall take effect upon its passage.

Approved March 21, 1923.

*Chap.*135 AN ACT AUTHORIZING THE CITY OF HAVERHILL TO PROVIDE FOR THE PERPETUAL CARE AND MAINTENANCE OF A CERTAIN BURIAL LOT FOR THE BURIAL OF WORLD WAR VETERANS.

Be it enacted, etc., as follows:

City of Haverhill may provide for care, etc., of certain burial lot for world war veterans.

SECTION 1. The city of Haverhill may appropriate and maintain as a fund, and expend the income of, a sum of not more than twenty-five hundred dollars for the purpose of securing perpetual care and maintenance of the cemetery lot in Linwood Cemetery in said city, deeded by the trustees of the Proprietors of Linwood Cemetery to the Haverhill Military Auxiliary for the burial of world war veterans.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1923.

*Chap.*136 AN ACT RELATIVE TO THE WEEKLY PAYMENT OF WAGES OF CERTAIN EMPLOYEES.

Be it enacted, etc., as follows:

G. L. 149, § 148, etc., amended.

Section one hundred and forty-eight of chapter one hundred and forty-nine of the General Laws, as amended by chapter fifty-one of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out from the beginning of the first sentence down to and including the word "payment" in the eleventh line and inserting in place thereof the following: — Every person engaged in carrying on in a city a hotel or club, and every person engaged in carrying on within the commonwealth a theater, moving picture house, dance hall, factory, workshop, manufacturing, mechanical or mercantile establishment, mine, quarry, railroad or street railway, or telephone, telegraph, express, transportation or water company, or in the erection, alteration, repair or removal of any building or structure, or the construction or repair of any railroad, street railway, road, bridge, sewer, gas, water or electric light works, pipes or lines, and every person employing janitors, porters or watchmen, shall pay weekly each employee engaged in his business the wages earned by him to within six days of the date of said payment if employed for six days in a week or to within seven days of the date of said payment if employed seven days in the week, — so as to read as follows: — *Section 148.* Every person engaged in carrying on in a city a hotel or club, and every person engaged in carrying on within the commonwealth a theater, moving picture house, dance hall, factory, workshop, manufacturing, mechanical or mercantile establishment, mine, quarry, railroad or street railway, or telephone, telegraph, express, transportation or water company, or in the erection, alteration, repair or removal of any building or structure, or the construction or repair of any railroad, street railway, road, bridge, sewer, gas, water or electric light works, pipes or lines, and every person employing janitors, porters or watchmen, shall pay weekly each employee engaged in his business the wages earned by him to within six days of the date of said payment if employed for six

Weekly payment of wages of certain employees.

days in a week or to within seven days of the date of said payment if employed seven days in the week; but any employee leaving his employment shall be paid in full on the following regular pay day; and any employee discharged from such employment shall be paid in full on the day of his discharge, or in Boston as soon as the laws requiring pay rolls, bills and accounts to be certified shall have been complied with; and the commonwealth, its departments, officers, boards and commissions shall so pay every mechanic, workman and laborer employed by it or them, and every person employed by it or them in any penal or charitable institution; and every county and city shall so pay every employee engaged in its business the wages or salary earned by him, unless such mechanic, workman, laborer or employee requests in writing to be paid in a different manner; and every town shall so pay each employee in its business if so required by him; but an employee absent from his regular place of labor at a time fixed for payment shall be paid thereafter on demand. This section shall not apply to an employee of a co-operative corporation or association if he is a stockholder therein unless he requests such corporation to pay him weekly. The department of public utilities, after hearing, may exempt any railroad corporation from paying weekly any of its employees if it appears that such employees prefer less frequent payments, and that their interests and the interests of the public will not suffer thereby. No person shall by a special contract with an employee or by any other means exempt himself from this section or section one hundred and fifty. Whoever violates this section shall be punished by a fine of not less than ten nor more than fifty dollars.

When certain employees shall be paid in full.

Employee when paid on demand.

Not applicable in certain cases.

Exemptions by department of public utilities.

No exemptions by special contract.

Penalty.

Approved March 21, 1923.

AN ACT RELATIVE TO THE CONTENTS OF THE STANDARD FIRE INSURANCE POLICY.

Chap. 137

Be it enacted, etc., as follows:

Section ninety-nine of chapter one hundred and seventy-five of the General Laws is hereby amended by striking out the clause entitled "First" and inserting in place thereof the following: — First, A company may print on or in its policies its name, location, date of incorporation, plan of operation, whether stock or mutual, and, if the former, the amount of its paid-up capital stock. A company may also print on or in its policies the names of its officers and agents, the number and date of the policy, the words, "Amount \$ _____, Rate _____, Premium \$ _____," and, if the policy is issued through an agent, the words, "This policy shall not be valid until countersigned by the duly authorized agent of the company at _____", and may in lieu of inserting the date in the teste clause specified in said standard form, add to the phrase hereinbefore quoted the words, "Countersigned at _____, this _____ day of _____, 19 ____ Agent." A mutual company shall fix the contingent mutual liability of its members for the payment of losses and expenses not provided for by its cash funds and shall print on the filing-back of its policies the notice required

G. L. 175, § 99, amended.

Contents of standard fire insurance policy.

by section seventy-six, the endorsement required by section eighty and the statement required by section eighty-one.

Alternative
in lieu of
teste clause.

A company described in the first paragraph of section one hundred and fifty-five may in lieu of said teste clause use the following: — "In witness whereof, the said company has caused this policy to be signed by its resident manager in the United States at their office in (date)."

Approved March 21, 1923.

Chap.138 AN ACT AUTHORIZING THE CITY OF CHICOPEE TO PENSION
MICHAEL FLYNN.

Be it enacted, etc., as follows:

City of
Chicopee may
pension Michael
Flynn.

SECTION 1. The city of Chicopee may retire Michael Flynn, at present an employee of its electric light department, on an annual pension equal to one half his present annual compensation.

To be sub-
mitted to city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 21, 1923.

Chap.139 AN ACT RELATIVE TO THE FORM OF WORKMEN'S COMPENSATION
INSURANCE POLICIES.

Be it enacted, etc., as follows:

G. L. 152, § 54,
repealed.

SECTION 1. Section fifty-four of chapter one hundred and fifty-two of the General Laws is hereby repealed.

G. L. 152, § 55,
amended.

SECTION 2. Section fifty-five of said chapter one hundred and fifty-two is hereby amended by striking out, in the first line, the words "such policy of" and inserting in place thereof the words: — policy of workmen's compensation, — so that the first paragraph will read as follows: — No policy of workmen's compensation insurance shall be issued or delivered until a copy thereof has been filed with the commissioner of insurance at least thirty days prior to such issue or delivery, unless before the expiration of the thirty days the said commissioner shall have approved the form of the policy in writing, nor if the commissioner notifies the company in writing that in his opinion the form of said policy does not comply with the laws of the commonwealth, specifying the reasons for his opinion; provided, that upon petition of the company the opinion of the commissioner shall be subject to review by the supreme judicial court.

Form of work-
men's com-
pensation in-
surance
policies.

Proviso.

Approved March 21, 1923.

Chap.140 AN ACT RELATIVE TO THE SALE OR TRANSFER OF THE ASSETS
OF A FOREIGN BUSINESS CORPORATION.

Be it enacted, etc., as follows:

G. L. 63, § 76,
amended.

Section seventy-six of chapter sixty-three of the General Laws is hereby amended by inserting after the word "corpora-

tion" in the fourth line the words: — , or of any part or the whole of the assets situated in the commonwealth of a foreign business corporation, — so as to read as follows: — *Section 76.* The sale or transfer, otherwise than in the ordinary course of trade and in the regular and usual prosecution of the corporation's business, of any part or the whole of the assets of a domestic business corporation, or of any part or the whole of the assets situated in the commonwealth of a foreign business corporation, shall be fraudulent and void as against the commonwealth, unless such corporation shall, at least five days before the sale or transfer, notify the commissioner of the proposed sale or transfer and of the price, terms and conditions thereof, and of the character and location of said assets. Whenever such a corporation shall make such a sale or transfer, the tax imposed by this chapter shall become due and payable at the time when the commissioner is so notified, or, if he is not so notified, at the time when he should have been notified.

Sale or transfer of assets of domestic or foreign business corporations void in certain cases.

Tax imposed, when due.

This section shall not apply to sales by receivers, assignees under a voluntary assignment for the benefit of creditors, trustees in bankruptcy, or public officers acting under judicial process.

When not applicable.

Approved March 21, 1923.

AN ACT AUTHORIZING THE COUNTY OF WORCESTER TO BORROW MONEY FOR THE PURPOSE OF ENLARGING THE COUNTY COURT HOUSE IN THE CITY OF WORCESTER.

Chap. 141

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing necessary additions to and alterations in the county court house in the city of Worcester, and of furnishing and equipping the same, and for the purpose of acquiring by purchase or otherwise such additional land as may be necessary therefor, the county commissioners of the county of Worcester may from time to time borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, forty thousand dollars, and may issue bonds or notes of the county therefor. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall be subject to chapter thirty-five of the General Laws.

County of Worcester may borrow money for enlarging, etc., county court house in city of Worcester.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of Worcester county; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to Worcester county commissioners. Proviso.

Approved March 21, 1923.

Chap.142 AN ACT DIVESTING THE BOSTON DUCK COMPANY OF ITS POWERS TO SUPPLY WATER AND TO MANUFACTURE, SELL AND DISTRIBUTE ELECTRICITY, AND MAKING IT A DOMESTIC BUSINESS CORPORATION.

Be it enacted, etc., as follows:

Act extending corporate powers of Boston Duck Company, repealed.

Boston Duck Company made a domestic business corporation.

SECTION 1. Chapter four hundred and fifty-six of the acts of nineteen hundred and nine, being an act to extend the corporate powers of the Boston Duck Company, is hereby repealed.

SECTION 2. The Boston Duck Company shall hereafter be subject in all respects to all general laws applicable to business corporations, and have all the powers thereby conferred on domestic business corporations, notwithstanding any limitations to the contrary hereinbefore enacted by special law.

Approved March 21, 1923.

Chap.143 AN ACT PROVIDING FOR A RESERVE FUND FOR CREDIT UNIONS AND REGULATING THE PAYMENT OF DIVIDENDS BY THEM.

Be it enacted, etc., as follows:

G. L. 171, new section after § 16.

Credit unions to maintain a reserve fund, when.

SECTION 1. Chapter one hundred and seventy-one of the General Laws is hereby amended by inserting after section sixteen the following new section: — *Section 16A.* If the losses and bad debts of a credit union at the end of any fiscal year exceed twenty per cent of the guaranty fund, including the amount required by law to be contributed at the end of that year to said fund, there shall be maintained a reserve fund which shall before the payment of an annual dividend be made equal, by payments from the earnings of that year, to the amount by which the losses and bad debts at the end of that year exceed twenty per cent of the guaranty fund, including the aforesaid contribution for that year; provided, that the excess in any subsequent year over the amount required to be maintained for that year as a reserve fund may be transferred from such fund and made available for the payment of dividends. All debts due to any credit union on which interest or partial payments on the principal are due and unpaid for a period of six months, unless the same are well secured and in process of collection, shall be considered bad debts within the meaning of this section.

Proviso.

Certain debts to be considered bad debts.

G. L. 171, § 23, etc., amended.

Payment of dividends by credit unions.

SECTION 2. Section twenty-three of said chapter one hundred and seventy-one, as amended by chapter fifty-four of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out the first paragraph and inserting in place thereof the following: — *Section 23.* At the annual meeting a dividend may be declared from the earnings which have actually been collected during the fiscal year next preceding and which remain after the deduction of all expenses, interest on deposits and the amounts required to be set apart to the guaranty fund by section sixteen and to the reserve fund by section sixteen A, or such dividend may be declared in whole or in part from the undivided earnings of preceding years remaining after the aforesaid deductions for said years. *Approved March 21, 1923.*

AN ACT RELATIVE TO THE COMPENSATION OF FISH AND GAME WARDENS IN CITIES AND TOWNS. *Chap. 144*

Be it enacted, etc., as follows:

Section seven of chapter twenty-one of the General Laws is hereby amended by striking out, in the twelfth line, the word "fifty", and inserting in place thereof the words:— one hundred,— and by inserting before the word "paid", in the same line, the words:— determined and,— so as to read as follows:— *Section 7.* Except as provided in the following section, the director may, subject to the approval of the commissioner, appoint and remove such experts, fish and game wardens, clerical and other assistants as the work of the division may require, and fix their compensation, which shall be paid by the commonwealth. On written application of the city council of a city or the selectmen of a town, he may, subject to like approval, appoint in such city or town, from a list of names to be submitted to him by such city council or selectmen, a fish and game warden, who shall act under his authority and instructions and have the same powers and duties as a fish and game warden appointed as above provided; the annual compensation of every such warden, not exceeding one hundred dollars, shall be determined and paid by the city or town in which he is appointed. The director may also, subject to like approval, appoint deputy fish and game wardens who shall serve without compensation.

G. L. 21, § 7, amended.

Division of fisheries and game, experts, fish and game wardens, etc., appointment, compensation, etc.
Fish and game wardens in cities and towns, appointment, compensation, etc.

Approved March 21, 1923.

AN ACT RELATIVE TO THE DISTRIBUTION TO TOWNS FOR SCHOOL SALARIES OF A PORTION OF THE PROCEEDS OF THE INCOME TAX. *Chap. 145*

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter seventy of the General Laws is hereby amended by striking out, in the second line, the word "fifteenth" and inserting in place thereof the word:— twentieth,— so as to read as follows:— *Section 1.* The state treasurer shall annually, on or before November twentieth, pay to the several towns from the proceeds of the tax on incomes, which shall be available therefor without appropriation, the sums required for the purposes of Part I of this chapter, as part reimbursement for salaries paid to teachers, supervisors, principals, assistant superintendents and superintendents for services in the public day schools rendered during the year ending the preceding June thirtieth.

G. L. 70, § 1, amended.

Reimbursement from income tax to cities and towns for certain school salaries.

SECTION 2. Section seven of said chapter seventy, as amended by section two of chapter three hundred and thirty-three of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the third line, the words "August first" and inserting in place thereof the words:— July twenty-fifth,— by striking out, in the eleventh line, the words "state auditor" and inserting in place thereof the word:— comptroller,— and by adding at the end thereof the following:—

G. L. 70, § 7, etc., amended.

The commissioner shall, not later than July twenty-seventh, prepare and transmit to the commissioner of corporations and taxation a list containing an estimate based on the information then in his possession of the amount payable under said Part I to each town for the current year, — so as to read as follows: —

Superintendents of schools to file with commissioner of education statements, etc.

Section 7. Every superintendent of schools shall file with the commissioner of education, not later than July twenty-fifth in each year, a sworn statement, upon blanks prepared by the commissioner, containing the data necessary to determine the amounts payable under Part I of this chapter. Before filing such statement, the superintendent shall submit it to the chairman of the school committee, who shall countersign it on oath, if, after examination, he finds it correct. The commissioner shall cause such statements to be examined, and shall certify to the comptroller the amount due each town. The commissioner shall, not later than July twenty-seventh, prepare and transmit to the commissioner of corporations and taxation a list containing an estimate based on the information then in his possession of the amount payable under said Part I to each town for the current year.

Certification to comptroller of amount due, etc.

Estimates to commissioner of corporations and taxation of amount payable, etc.

Approved March 21, 1923.

Chap. 146 AN ACT RELATIVE TO THE PUBLICATION BY THE STATE SECRETARY OF CERTAIN MATTER RELATIVE TO CERTAIN CORPORATIONS.

Be it enacted, etc., as follows:

Publication of certain corporate matter discontinued. Time of taking effect.

SECTION 1. Section eighteen of chapter nine of the General Laws is hereby repealed.

SECTION 2. This act shall take effect as of January first of the current year.

Approved March 21, 1923.

Chap. 147 AN ACT RELATIVE TO THE DISPOSITION OF CORN STALKS AND STUBBLE IN CONNECTION WITH THE SUPPRESSION OF THE EUROPEAN CORN BORER.

Be it enacted, etc., as follows:

G. L. 128, § 30, amended.

Prosecutions under certain laws as to European corn borer, etc.

SECTION 1. Section thirty of chapter one hundred and twenty-eight of the General Laws is hereby amended by striking out, in the second line, the word "or", and by inserting after the word "thirty-one" in the same line the words: — and section thirty-one A, — so as to read as follows: — *Section 30.* All prosecutions under sections sixteen to twenty-seven, inclusive, section thirty-one and section thirty-one A shall be instituted by the commissioner and shall be directed by him.

G. L. 128, new section after § 31.

Disposition of corn stalks and stubble in connection with suppression of European corn borer.

SECTION 2. Said chapter one hundred and twenty-eight is hereby further amended by inserting after section thirty-one the following new section: — *Section 31A.* In any town or part thereof in which an order issued under the preceding section in connection with the suppression of the European corn borer shall be in effect, every person in possession of land on which corn of any kind has been grown, shall, not later than December first of the year of its growth, plow or cause to be plowed the

field in which it was grown, so as to bury the stubble to a depth of at least six inches, or pull up said stubble or cause it to be pulled up and destroy it, or cause it to be destroyed, by burning, and every person having in his possession corn stalks shall, not later than April tenth of the year following that of their growth, completely dispose of such corn stalks by using them as fodder or by burning them. Whoever violates any provision of this section shall be punished by a fine of not less than twenty-five nor more than five hundred dollars.

Penalty.

Approved March 21, 1923.

AN ACT RELATIVE TO THE RAISING OF MONEY BY TAXATION
BY THE DRACUT WATER SUPPLY DISTRICT.

Chap. 148

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter four hundred and thirty-three of the acts of nineteen hundred and five is hereby amended by striking out, in the fourteenth and fifteenth lines, the words “, not exceeding two thousand dollars in any one year,” — so as to read as follows: — *Section 6.* Said district shall raise by taxation annually a sum which with the income derived from the sale of water and the payments from the town of Dracut for hydrant service will be sufficient to pay the current annual expenses of operating its water works and the interest accruing on the bonds issued by said district, together with such payments on the principal as may be required under the provisions of this act. Said district is further authorized, by a two thirds vote of the voters thereof present and voting at a legal meeting called for the purpose, to raise by taxation any sum of money for the purpose of enlarging or extending its water works and providing additional pipes, appliances and fixtures connected therewith.

1905, 433, § 6,
amended.

Raising of
money by
taxation by
Dracut Water
Supply
District.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the voters of the Dracut Water Supply District present and voting thereon; provided, that such acceptance occurs not later than one year from the date of the passage of this act.

To be sub-
mitted to
voters of dis-
trict, etc.
Proviso.

Approved March 21, 1923.

AN ACT REGULATING THE PAYMENT OF LOSSES UNDER CERTAIN
POLICIES OF LIABILITY INSURANCE.

Chap. 149

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-five of the General Laws is hereby amended by striking out section one hundred and twelve and inserting in place thereof the following: — *Section 112.* The liability of any company under a policy insuring against liability for loss or damage on account of bodily injury or death by accident or on account of damage to property shall become absolute whenever such loss or damage, for which the insured is responsible, occurs, and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or duty of the company to make payment on account of said loss or damage. No such con-

G. L. 175, § 112,
amended.

Payment of
losses under
certain policies
of liability in-
surance regu-
lated.

tract of insurance shall be cancelled or annulled by any agreement between the company and the insured after the said insured has become responsible for such loss or damage, and any such cancellation or annulment shall be void.

G. L. 175, § 113,
amended.

Rights of
judgment
creditor to have
insurance
money applied,
etc.

SECTION 2. Said chapter one hundred and seventy-five is hereby further amended by striking out section one hundred and thirteen and inserting in place thereof the following:— *Section 113.* Upon the recovery of a final judgment against any person by any person, including executors or administrators, for any loss or damage specified in the preceding section, if the judgment debtor was at the accrual of the cause of action insured against liability therefor, the judgment creditor shall be entitled to have the insurance money applied to the satisfaction of the judgment as provided in the tenth clause of section three of chapter two hundred and fourteen.

G. L. 214, § 3,
cl. 10,
amended.

Equity juris-
diction of
supreme
judicial and
superior courts
as to certain
liability in-
surance
policies.

SECTION 3. Section three of chapter two hundred and fourteen of the General Laws is hereby amended by striking out the tenth clause and inserting in place thereof the following:— (10) Suits to reach and apply in satisfaction of a judgment for loss or damage for bodily injury or death by accident or for damage to property, which has not been satisfied within thirty days after the date when it was rendered, the obligation of an insurance company to the judgment debtor under a policy insuring him against liability for loss or damage from such injury or death by accident or such damage to property.

Approved March 21, 1923.

Chap. 150 AN ACT EXTENDING THE POWERS OF CERTAIN SPECIAL STATE POLICE OFFICERS.

Be it enacted, etc., as follows:

G. L. 127, § 127,
amended.

Certain special
state police
officers, ap-
pointment,
etc.

May serve cer-
tain warrants,
etc.

May perform
certain police
duty.

Section one hundred and twenty-seven of chapter one hundred and twenty-seven of the General Laws is hereby amended by inserting after the word "commissioner" in the sixth line the following:— and warrants issued by any court or trial justice in the commonwealth for the arrest of a person charged with the crime of escape or attempt to escape from a penal institution or from the custody of an officer while being conveyed to or from any such institution, — so as to read as follows:— *Section 127.* The governor, upon the written recommendation of the commissioner, may appoint any agent or employee of the department of correction or any employee of any penal institution a special state police officer for a term of three years, unless sooner removed. Officers so appointed may serve warrants and orders of removal or transfer of prisoners issued by the commissioner and warrants issued by any court or trial justice in the commonwealth for the arrest of a person charged with the crime of escape or attempt to escape from a penal institution or from the custody of an officer while being conveyed to or from any such institution, and may perform police duty about the premises of penal institutions,

Approved March 21, 1923.

AN ACT RELATING TO REVIEWING BOARDS OF THE DEPARTMENT OF INDUSTRIAL ACCIDENTS. *Chap.151*

Be it enacted, etc., as follows:

Chapter twenty-four of the General Laws is hereby amended by striking out section three and inserting in place thereof the following: — *Section 3.* The chairman shall from time to time appoint one or more reviewing boards, each reviewing board to consist of not less than three members, to decide matters required to be heard by such a board. *Approved March 21, 1923.*

G. L. 24, § 3, amended.

Reviewing boards of department of industrial accidents.

AN ACT RELATIVE TO THE APPOINTMENT AND PAYMENT OF THE THIRD REFEREE IN REFERENCES UNDER THE STANDARD FIRE INSURANCE POLICY AND PROVIDING A PENALTY FOR REFUSAL TO JOIN IN SUCH REFERENCES. *Chap.152*

Be it enacted, etc., as follows:

Section one hundred of chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after the word “property” in the first and second lines the words: — or interests, — by striking out, in the sixteenth line, the words “their appointment” and inserting in place thereof the words: — the appointment of the referee by the company, — by striking out all after the word “parties” in the twentieth line down to and including the word “expenses” in the twenty-fifth line and inserting in place thereof the following:—The company shall withhold from the amount of the award rendered one half of the compensation and expenses of the third referee in all cases and shall thereupon pay to the said referee the full amount of his compensation and expenses. Upon written petition by any party in interest to the commissioner, in such form as he may require, within twenty days from the publication of the award, the compensation of said third referee shall be subject to review and approval by the commissioner and his decision in respect thereto shall be final and conclusive upon the parties, — and by adding at the end thereof the two following new paragraphs: — A company which in compliance with this section joins in reference proceedings shall not thereby be held to have waived any legal defense to the claim in respect to which the reference proceedings are held and such proceedings shall fix only the amount of the loss or damage sustained by the insured and the sound value of the property as hereinbefore provided, unless both parties shall agree in writing that the reference shall be held and shall proceed under the provisions of chapter two hundred and fifty-one.

G. L. 175, § 100, amended.

A company, or an officer, agent, adjuster or representative thereof having authority to represent the company in respect to a reference under this section, who wilfully refuses to comply with the provisions of this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars, — so as to read as follows: — *Section 100.* In case of loss under

Appointment of referees

under standard fire insurance policies.

Third referee, appointment by commissioner of insurance, when.

Compensation and expenses of third referee.

Review, etc., by commissioner of insurance.

Referees to determine sound value, when.

Legal defenses not waived by company joining in reference proceedings, etc.

Penalty for refusal to join in references.

any fire policy issued on property or interests in the commonwealth in the standard form set forth in the preceding section, and the failure of the parties to agree as to the amount of loss, the company shall, within ten days after a written request to appoint referees under the provision for arbitration in such policy, name three men no one of whom shall, without the written consent of the insured, be a person who has served in that capacity for said company within four months, each of whom shall be a resident of the commonwealth and willing to act as one of such referees, of whom the insured shall, within ten days after receiving said names, make known to the company his choice of one to act as one of such referees; and such company shall, within ten days after receiving the names of three men named by the insured, make known to the insured its choice of one of them to act as one of such referees. And in case of the failure of two referees chosen, respectively, by the company and the insured to agree upon and select, within ten days from the appointment of the referee by the company, a third referee willing to act in said capacity, either of said referees or parties may make written application, setting forth the facts, to the commissioner to appoint such third referee; and said commissioner shall thereupon make such appointment, and shall send written notification thereof to the parties. The company shall withhold from the amount of the award rendered one half of the compensation and expenses of the third referee in all cases and shall thereupon pay to the said referee the full amount of his compensation and expenses. Upon written petition by any party in interest to the commissioner, in such form as he may require, within twenty days from the publication of the award, the compensation of said third referee shall be subject to review and approval by the commissioner and his decision in respect thereto shall be final and conclusive upon the parties.

If a policy of fire insurance contains a reduced rate or co-insurance clause, and if, in case of loss, the parties do not agree as to the sound value of the property affected, such value shall be determined by the referees chosen to determine the loss or damage. If the parties agree as to the loss or damage, but do not agree as to the amount of the sound value, said value shall be determined by referees appointed as provided in and subject to the provisions of this section and of said standard form. An award in writing of a majority of the referees shall be final and conclusive on the parties as to the amount of the sound value.

A company which in compliance with this section joins in reference proceedings shall not thereby be held to have waived any legal defense to the claim in respect to which the reference proceedings are held and such proceedings shall fix only the amount of the loss or damage sustained by the insured and the sound value of the property as hereinbefore provided, unless both parties shall agree in writing that the reference shall be held and shall proceed under the provisions of chapter two hundred and fifty-one.

A company, or an officer, agent, adjuster or representative thereof having authority to represent the company in respect to

a reference under this section, who wilfully refuses to comply with the provisions of this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars.

Approved March 21, 1923.

AN ACT RELATIVE TO THE TRANSACTION OF STEAM BOILER, FLYWHEEL AND ENGINE INSURANCE BY DOMESTIC MUTUAL LIABILITY INSURANCE COMPANIES. Chap.153

Be it enacted, etc., as follows:

Section fifty-four of chapter one hundred and seventy-five of the General Laws is hereby amended by striking out clause (b) and inserting in place thereof the following:— (b) The fifth, subject to the written approval of the commissioner, if authorized to transact the sixth, subdivision (b); provided, that no policy shall be issued under the fifth clause until applications have been made for not less than one hundred separate policies, aggregating at least one million dollars of insurance, covering any of the hazards specified in said fifth clause. The provision of section twenty-one that a mutual boiler company may insure in a single risk an amount of not exceeding one fourth of its net assets shall not apply to mutual companies acting under this paragraph.

Approved March 21, 1923.

G. L. 175, § 54, cl. (b), amended.
Transaction of steam boiler, etc., insurance by domestic mutual liability insurance companies.
Proviso.

Certain provision not applicable, etc.

AN ACT REGULATING THE CONDUCT OF HAWKERS AND PEDLERS. Chap.154

Be it enacted, etc., as follows:

Section thirty of chapter one hundred and one of the General Laws is hereby amended by inserting after the word "revocation" in the third line the following:— , or upon the submission to the director of evidence satisfactory to him that the licensee has, during the term of the license, accepted or solicited money otherwise than through the bona fide sale or barter of goods, wares or merchandise or has in any manner during said term begged or solicited alms from the public, — so as to read as follows:— *Section 30.* Any license granted by the director to a hawker or pedler may be revoked by him upon conviction of the licensee of any crime which in the judgment of the director warrants such revocation, or upon the submission to the director of evidence satisfactory to him that the licensee has, during the term of the license, accepted or solicited money otherwise than through the bona fide sale or barter of goods, wares or merchandise or has in any manner during said term begged or solicited alms from the public. Whenever any person is convicted of a violation of any provision of this chapter, relative to hawkers and pedlers, or a person holding such a license is convicted of any crime, the clerk of the court in which, or the trial justice by whom, such person was convicted shall notify the director.

Approved March 21, 1923.

G. L. 101, § 30, amended.

Revocation of licenses of hawkers and pedlers.

Notice of certain convictions to director.

AN ACT RELATIVE TO THE SALE OF COAL.

Chap.155

Whereas, The deferred operation of this act would in part defeat its purpose and be inconsistent with the public interest,

Emergency preamble.

therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

G. L. 94, new sections after § 249.

Entry of certain places for inspection, etc., of coal by certain officials, etc.

Analysis of samples, etc.

Condemnation, seizure, etc., of unfit coal.

Disposition of money received for coal disposed of, etc.

Penalty for interference, etc., with officials, etc.

Penalty for sale, etc., of condemned coal.

Penalty for sale, etc., of coal unfit for ordinary use.

Penalty for placing, etc., foreign substances with coal in receptacles, etc.

Enforcement of laws.

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by inserting after section two hundred and forty-nine the six following new sections: — *Section 249A.* The department of public health, local boards of health, the director of standards and local sealers of weights and measures, by themselves or by their authorized agents, may enter each place where coal is stored or kept for sale and each railroad train or car or any vehicle used for its conveyance and may inspect said coal or take therefrom samples for analysis or inspection. Said department or board shall cause each sample taken to be analyzed, inspected or otherwise satisfactorily tested and shall record and preserve as evidence the results thereof. If, in the opinion of said department or board, upon inspection, analysis or other satisfactory test, said coal is unfit for ordinary use, said department, or said board with the approval of said department, may condemn, seize and cause the same to be destroyed forthwith or disposed of otherwise than for ordinary use. All money received by said department or board for coal disposed of as aforesaid, after deducting the expenses of said seizure and disposal, shall be paid to the owner of such coal. *Section 249B.* Any person who hinders, obstructs or interferes with the department of public health, local boards of health, the director of standards, local sealers of weights and measures, or their authorized agents, in the performance of their duty under the preceding section, shall be punished by a fine of not less than one hundred nor more than one thousand dollars or by imprisonment for not less than one month nor more than one year, or both. *Section 249C.* Whoever, by himself, or by his servant, agent or employee, sells, exposes or offers for sale, or has in his custody or possession with intent to sell, coal condemned under the provisions of section two hundred and forty-nine A shall be punished by a fine of not less than one hundred nor more than one thousand dollars or by imprisonment for not less than one month nor more than one year, or both. *Section 249D.* Whoever, by himself, or by his servant, agent or employee, sells, exposes or offers for sale, or has in his custody or possession with intent to sell, coal unfit for ordinary use shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. *Section 249E.* Whoever, by himself, or by his servant, agent or employee, in placing or packing coal in any basket, bag, sack or other receptacle, places or causes to be placed therein any foreign substance, or sells, or exposes or offers for sale, or has in his custody or possession with intent to sell, coal placed or packed in a basket, bag, sack or other receptacle containing an unreasonable amount of any foreign substance shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. *Section 249F.* The department of public health, local boards of health,

the director of standards and local sealers of weights and measures shall cause the five preceding sections to be enforced.

SECTION 2. Section two hundred and forty-eight of said chapter ninety-four, as amended by section two of chapter eighty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out all after the word "coal" in the eleventh line and inserting in place thereof the following: —, or whoever, by himself, or by his servant, agent or employee, sells or delivers coal which is short in weight or measure or which contains an unreasonable amount of shale, slate, rock or other foreign substance, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. The director of standards and local sealers of weights and measures shall cause sections two hundred and forty to two hundred and forty-nine, inclusive, to be enforced, — so as to read as follows: — *Section 248.* Whoever violates any provision of sections two hundred and forty to two hundred and forty-seven, inclusive, except as otherwise provided therein, or fails to comply with any request for information or direction made under authority of sections two hundred and forty, two hundred and forty-one, two hundred and forty-four to two hundred and forty-six, inclusive, or gives a false answer to any such request, shall be punished by a fine of not more than fifty dollars; and whoever is guilty of fraud or deceit as to the weighing, selling or delivering of coke, charcoal or coal, or whoever, by himself, or by his servant, agent or employee, sells or delivers coal which is short in weight or measure or which contains an unreasonable amount of shale, slate, rock or other foreign substance, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. The director of standards and local sealers of weights and measures shall cause sections two hundred and forty to two hundred and forty-nine, inclusive, to be enforced.

G. L. 94, § 248, etc., amended.

Penalties for certain offences relating to sale of coal, coke, charcoal, etc.

Enforcement of law.

SECTION 3. Section one hundred and seventy-seven of said chapter ninety-four is hereby amended by inserting at the beginning thereof the words: — Except as otherwise provided by section two hundred and forty-eight, — so as to read as follows: — *Section 177.* Except as otherwise provided by section two hundred and forty-eight, whoever himself or by his servant or agent gives or attempts to give false or insufficient weight or measure shall be punished for the first offence by a fine of not more than fifty dollars, for the second offence by a fine of not more than two hundred dollars, and for a subsequent offence by a fine of fifty dollars and by imprisonment for not less than one nor more than three months.

G. L. 94, § 177, amended.

Penalty for giving false weight or measure.

Approved March 23, 1923.

AN ACT AUTHORIZING THE TOWN OF EDGARTOWN TO TAKE LAND BY EMINENT DOMAIN FOR THE CONSTRUCTION OF A CHANNEL FROM CAPE POGE POND TO MUSKEGET CHANNEL.

Chap. 156

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Edgartown may take by eminent domain under chapter seventy-nine of the

Town of Edgartown may take land for con-

struction of
channel from
Cape Poge
pond to
Muskeget
channel.

General Laws such land in said town or rights therein as may be necessary for the construction of a channel to connect Cape Poge pond in said town with Muskeget channel. The selectmen may assess betterments under chapter eighty of the General Laws for any improvements resulting from such construction. Any person injured in his property by any action of said selectmen under this act may recover damages from said town under said chapter seventy-nine.

SECTION 2. This act shall take effect upon its passage.

Approved March 23, 1923.

Chap.157 AN ACT AUTHORIZING THE HYANNIS TRUST COMPANY TO HOLD ADDITIONAL REAL ESTATE IN THE TOWN OF BARNSTABLE.

Be it enacted, etc., as follows:

Hyannis Trust
Company may
hold addi-
tional real
estate in town
of Barnstable.

SECTION 1. The Hyannis Trust Company, a trust company organized under the laws of this commonwealth and having its usual place of business in the town of Barnstable, may, subject otherwise to the provisions of section forty-one of chapter one hundred and seventy-two of the General Laws, as amended by chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-two and to the approval of the commissioner of banks, hold real estate in said town suitable for and to be used in whole or in part for the transaction of its business to an amount, including the cost of alterations in the nature of permanent fixtures, not exceeding, directly or indirectly, forty-five thousand dollars, in addition to the amount permitted by said section forty-one, amended as aforesaid, to be held by said trust company on the date of the passage of this act.

SECTION 2. This act shall take effect upon its passage.

Approved March 23, 1923.

Chap.158 AN ACT ESTABLISHING A SCHOOL BUILDING COMMISSION IN THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows:

School building
commission in
city of Marl-
borough estab-
lished.

SECTION 1. The persons appointed as members of the new school building or an addition to the present high school building construction committee, pursuant to the provisions of an order numbered thirteen thousand nine hundred and six, adopted by the city council of the city of Marlborough, and approved by the mayor on February fourteenth, nineteen hundred and twenty-three, are hereby constituted a commission to erect a new school building or an addition to the present high school building for public school purposes, and to complete and equip the same in accordance with said order. Said commission shall not expend or contract to expend more than one hundred thousand dollars unless such additional expenditure shall first be authorized by the city council of said city.

Expenditures.

Duration,
vacancies, etc.

SECTION 2. Said commission shall remain in existence a sufficient time to accomplish the purposes of this act, and any vacancy therein shall be filled by appointment in the manner provided for original appointments. The commission shall,

Reports.

annually and whenever required by the mayor or by the city council, present in writing a report of all its acts and proceedings and of the condition and progress of the work. The members of said commission shall serve without compensation, and shall not be interested financially, either directly or indirectly, in the work hereby directed to be done.

To serve without compensation, etc.

SECTION 3. This act shall take effect upon its passage.

Approved March 23, 1923.

AN ACT AUTHORIZING THE CITY OF LAWRENCE TO INCUR INDEBTEDNESS FOR PERMANENT PAVEMENT PURPOSES.

Chap. 159

Be it enacted, etc., as follows:

SECTION 1. For the purpose of completing the construction of granite block pavement on South Broadway in the city of Lawrence from Andover street to the boundary line of the town of Andover, said city may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, eighty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Lawrence Pavement Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

City of Lawrence may borrow money for permanent pavement purposes.

Lawrence Pavement Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved March 23, 1923.

AN ACT RELATIVE TO THE ASSESSMENT OF A PORTION OF THE COST OF CERTAIN SEWERS IN THE TOWN OF NAHANT.

Chap. 160

Be it enacted, etc., as follows:

Section six of chapter two hundred and forty-one of the Special Acts of nineteen hundred and seventeen is hereby amended by inserting after the word "laws" in the eighth line the words: —, notwithstanding that the public sewers authorized hereunder are not constructed in public ways, if a public sewer is available to serve the land abutting on such ways, — so that the second sentence will read as follows: — In providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by general laws, notwithstanding that the public sewers authorized hereunder are not constructed in public ways, if a public sewer is available to serve the land abutting on such ways, and at the same meeting at which it determines the proportion of the cost which is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. *Approved March 23, 1923.*

1917, 241 (S), § 6, amended.

Assessment of portion of cost of certain sewers in town of Nahant.

AN ACT RELATIVE TO THE PENSIONING OF LABORERS IN THE EMPLOY OF THE CITY OF NEW BEDFORD.

Chap. 161

Be it enacted, etc., as follows:

SECTION 1. Any laborer in the employ of the city of New Bedford who has reached the age of sixty years and has been in

Pensioning of laborers in employ of city of New Bedford.

such employ for a period of not less than twenty-five years and has become physically or mentally incapacitated for labor, and any laborer in the employ of said city who has been in such employ for a period of not less than fifteen years and has become physically or mentally incapacitated for labor by reason of any injury received in the performance of his duties for said city, may, at his request and with the approval of the mayor, be retired from service, and if so retired he shall receive from said city for the remainder of his life an annual pension equal to one half the annual compensation paid him as a laborer at the time of his retirement, but such pension shall in no event exceed five hundred dollars. Any laborer in the employ of said city who has reached the age of sixty-five years and has been in such employ for a period of not less than twenty-five years including the time when incapacitated by reason of sickness, not exceeding two years in the aggregate, which is certified by a physician in regular standing, shall be retired from service and shall receive from said city an annual pension computed in the manner hereinbefore set forth. The word "laborer", as used in this section, shall include foremen, inspectors, mechanics, drawtenders, assistant drawtenders and storekeepers.

Word "laborer" to include foremen, etc.

To be submitted to city council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 23, 1923.

Chap. 162 AN ACT RELATIVE TO ENTRY UPON THE PREMISES OF CONSUMERS OF ELECTRICITY TO EXAMINE OR REMOVE METERS, APPARATUS AND WORKS USED IN CONNECTION WITH SUPPLYING THE SAME.

Be it enacted, etc., as follows:

G. L. 164, § 116, amended.

Section one hundred and sixteen of chapter one hundred and sixty-four of the General Laws is hereby amended by inserting after the word "gas" in the first line the words: — or electric, — by inserting after the word "gas" wherever it occurs in the fourth, sixth, fifteenth and sixteenth lines the words: — or electricity, — and by inserting after the word "pipes" in the fifth, fourteenth and seventeenth lines the word: —, wires, — so as to read as follows: — *Section 116.* An officer or servant of a gas or electric company who is duly authorized in writing by the president, treasurer, agent or secretary of said company, may at any reasonable time enter any premises supplied with gas or electricity by such company for the purpose of examining or removing the meters, pipes, wires, fittings and works for supplying or regulating the supply of gas or electricity and of ascertaining the quantity of gas or electricity consumed or supplied; and if any person, directly or indirectly, prevents or hinders such officer or servant from so entering such premises or from making such examination or removal, such officer or servant may make complaint to any court or magistrate authorized to issue criminal process, who may thereupon issue a warrant directed to the

Entry upon premises of consumers of gas or electricity to examine or remove meters, etc.

Proceedings upon hindrance of officers, etc.

sheriff or to any of his deputies, or to a constable of the town where such company is located, commanding him to take sufficient aid and repair to said premises accompanied by such officer or servant, who shall examine such meters, pipes, wires, fittings and works for supplying or regulating the supply of gas or electricity, and ascertain the quantity of gas or electricity consumed or supplied therein, and shall, if required, remove any meters, pipes, wires, fittings and works belonging to said company.

Approved March 23, 1923.

AN ACT RELATIVE TO THE TIME AT WHICH COMPENSATION SHALL BEGIN TO BE PAID UNDER THE WORKMEN'S COMPENSATION LAWS.

Chap. 163

Be it enacted, etc., as follows:

Section twenty-nine of chapter one hundred and fifty-two of the General Laws is hereby amended by striking out, in the second line, the word "ten" and inserting in place thereof the word: — seven, — and also by striking out, in the fourth line, the word "eleventh" and inserting in place thereof the word: — eighth, — so as to read as follows: — *Section 29.* No compensation shall be paid for any injury which does not incapacitate the employee for a period of at least seven days from earning full wages, but if incapacity extends beyond such period, compensation shall begin on the eighth day after the injury. When compensation shall have begun it shall not be discontinued except with the written assent of the employee or the approval of the department or a member thereof; provided, that such compensation shall be paid in accordance with section thirty-five if the employee in fact earns wages after the original agreement is filed.

G. L. 152, § 29, amended.

Time at which workmen's compensation shall begin to be paid, etc.

Proviso.

Approved March 23, 1923.

AN ACT ELIMINATING FROM THE LAW CERTAIN UNNECESSARY PROVISIONS AUTHORIZING THE APPOINTMENT OF WOMEN TO CERTAIN POSITIONS CONNECTED WITH THE COURTS, AND ABOLISHING THE OFFICE OF SPECIAL COMMISSIONER.

Chap. 164

Be it enacted, etc., as follows:

SECTION 1. Section twenty-three of chapter two hundred and seventeen of the General Laws is hereby amended by striking out, in the third and fourth lines, the words "who may be a woman and", — so as to read as follows: — *Section 23.* The judges of probate for each county except Dukes and Nantucket may appoint an assistant register of probate and insolvency, in this chapter called the assistant register, who shall hold office for three years unless sooner removed by the judge. Before entering upon the performance of his duties, an assistant register shall take the oath prescribed by the constitution, and shall give bond to the state treasurer for the faithful performance of his official duties in a sum not less than five hundred nor more than five thousand dollars, as ordered by the judge, with one or more sureties approved by him.

G. L. 217, § 23, amended.

Assistant registers of probate and insolvency, appointment, term, oath, bond, etc.

G. L. 217, § 24,
amended.

Second as-
sistant registers
of probate and
insolvency for
certain
counties, ap-
pointment, etc.

G. L. 217, § 25,
amended.

Third assistant
register of
probate and
insolvency for
Middlesex
county, ap-
pointment, etc.
G. L. 218, § 10,
etc., amended.

District courts,
assistant clerks,
appointment,
etc.

Second as-
sistant clerks,
appointment
in certain dis-
trict courts.

G. L. 221, § 4,
etc., amended.

Justices of
supreme
judicial court
to appoint
assistant clerks
of courts.

SECTION 2. Section twenty-four of said chapter two hundred and seventeen is hereby amended by striking out, in the third line, the words "who may be a woman, and", — so as to read as follows: — *Section 24.* The judges of probate for the counties of Essex, Middlesex, Suffolk and Worcester may appoint a second assistant register for their respective counties, who shall hold office for three years unless sooner removed by the judge. They shall be subject to the laws relative to assistant registers.

SECTION 3. Section twenty-five of said chapter two hundred and seventeen is hereby amended by striking out, in the second line, the words "who may be a woman," — so as to read as follows: — *Section 25.* The judges of probate for Middlesex county may appoint a third assistant register for said county, who shall hold office for three years unless sooner removed by the judges. He shall be subject to the laws relative to assistant registers.

SECTION 4. Section ten of chapter two hundred and eighteen of the General Laws, as amended by section one of chapter two hundred and eighty-seven of the acts of nineteen hundred and twenty-one and section one of chapter sixty-three of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the seventh line, the words "Any such assistant clerk may be a woman", — so as to read as follows: — *Section 10.* The clerk of a district court may, subject to the approval of the justice, appoint one or more assistant clerks, who shall be removable at his pleasure or at the pleasure of the court, for whose official acts the clerk shall be responsible and who shall be paid by him unless salaries payable by the county are authorized in this section or in section fifty-three. Assistant clerks with salaries payable by the county may be appointed in the central district court of northern Essex, the municipal court of the Charlestown district, the district court of western Hampden, and in courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more. Second assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the East Boston district court, the municipal court of the Charlestown district, and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex, the third district court of eastern Middlesex and the district court of southern Essex.

SECTION 5. Section four of chapter two hundred and twenty-one of the General Laws, as amended by chapter three hundred and five of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the sixth and in the eleventh and twelfth lines, the words ", who may be a woman", — so as to read as follows: — *Section 4.* The justices of the supreme judicial court shall appoint for a term of three years from the date of their appointment, and may remove, assistant clerks of courts, as follows:

For the county of —

Barnstable, an assistant;

Bristol, an assistant;

Essex, an assistant, a second assistant, a third assistant and a fourth assistant;

² Hampden, an assistant, a second assistant and, subject to the approval of the county commissioners, a third assistant;

Middlesex, an assistant, a second assistant, a third assistant and a fourth assistant;

Norfolk, an assistant;

Plymouth, an assistant;

Suffolk, an assistant of the supreme judicial court;

Worcester, an assistant, a second assistant and a third assistant.

Assistant clerks of courts except in Suffolk county shall act as assistant clerks of the supreme judicial court, the superior court and the county commissioners.

SECTION 6. Section five of said chapter two hundred and twenty-one is hereby amended by striking out, in the fifth line, the words “, who may be a woman”, by striking out, in the eighth and ninth lines, the words “, one of whom may be a woman” and by striking out, in the eleventh and in the sixteenth lines, the words “, who may be women”, — so as to read as follows: — *Section 5.* In addition to the assistant clerks provided for in the preceding section, the clerks of the courts for the following counties may appoint assistant clerks, with the same powers and duties, as follows:

G. L. 221, § 5, amended.

Clerks of the courts may appoint assistant clerks, etc.

For the county of —

Norfolk, a second assistant, subject to removal by the court or by the clerk.

Middlesex, subject to approval of a justice of the supreme judicial or superior court, not more than two assistant clerks.

Suffolk, by the clerk of the superior court for criminal business, assistant clerks pro tempore or for the term of one year, subject to removal by the court or by the clerk; and by the clerk of the supreme judicial court for said county, a second assistant clerk, designated from his office force.

All other counties having no permanent second assistant clerks, assistant clerks pro tempore or for a term of one year, subject to removal by the court or by the clerk.

SECTION 7. Section two of chapter two hundred and twenty-two of the General Laws is hereby repealed; but this repeal shall not affect the validity of the commission of any special commissioner, now outstanding, or of any act of such a commissioner performed during the term for which she was appointed.

Office of special commissioner abolished. Outstanding commissions not affected, etc.

Approved March 23, 1923.

AN ACT AUTHORIZING THE ELECTION OF WOMEN AS TRUSTEES
OF THE CUSHING ACADEMY.

Chap. 165

Be it enacted, etc., as follows:

The Trustees of the Cushing Academy shall have full power in filling vacancies in such board to elect women as trustees, and thereupon in accordance with chapter two hundred and sixty-five of the acts of eighteen hundred and sixty-five they shall become members of the Trustees of the Cushing Academy, a corporation incorporated by said chapter.

Trustees of the Cushing Academy may elect women as trustees.

Approved March 23, 1923.

Chap.166 AN ACT ENLARGING THE DEFINITION OF ADULTERATION OF FOODS.

Be it enacted, etc., as follows:

G. L. 94, § 186,
amended.

Adulteration of
foods, defini-
tion enlarged.

Section one hundred and eighty-six of chapter ninety-four of the General Laws is hereby amended by adding at the end thereof the following new clause: — Seventh, If the carcass or parts of the carcass of any animal shall be inflated with gas or air.

Approved March 23, 1923.

Chap.167 AN ACT AUTHORIZING THE CITY OF NEWTON TO PAY A SUM OF MONEY TO THE FORESMAN ELECTRIC COMPANY, INC.

Be it enacted, etc., as follows:

City of Newton
may pay sum
of money to
The Foresman
Electric Com-
pany, Inc.

SECTION 1. The city of Newton may pay to The Foresman Electric Company, Inc. the sum of eight hundred and eight dollars for electrical work performed in the Pierce school in said city in the year nineteen hundred and twenty-two, notwithstanding the provisions of the charter of said city requiring a written contract in such a case.

To be sub-
mitted to city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 23, 1923.

Chap.168 AN ACT AUTHORIZING THE BEACON TRUST COMPANY TO HOLD ADDITIONAL REAL ESTATE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Beacon Trust
Company may
hold additional
real estate in
city of Boston.

The Beacon Trust Company, a trust company organized under the laws of this commonwealth and having its usual place of business in the city of Boston may, subject otherwise to the provisions of section forty-one of chapter one hundred and seventy-two of the General Laws, as amended by chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-two, and to the approval of the commissioner of banks, hold real estate in said city suitable for and to be used in whole or in part for the transaction of its business to an amount, including the cost of alterations and additions in the nature of permanent fixtures, not exceeding, directly or indirectly, one million seven hundred thousand dollars, in addition to the maximum amount permitted by said section forty-one, amended as aforesaid.

Approved March 23, 1923.

Chap.169 AN ACT AUTHORIZING THE WORCESTER COUNTY INSTITUTION FOR SAVINGS TO INVEST AN ADDITIONAL SUM OF MONEY IN THE ERECTION AND PREPARATION OF A SUITABLE BUILDING FOR THE TRANSACTION OF ITS BUSINESS.

Be it enacted, etc., as follows:

Worcester
County In-
stitution for

SECTION 1. The Worcester County Institution for Savings, incorporated by chapter fifty of the acts of eighteen hundred

and twenty-seven, approved on February eighth, eighteen hundred and twenty-eight, may, subject to the approval of the commissioner of banks, invest in the erection and preparation of a suitable building to be used in whole or in part for the convenient transaction of its business and to be located on land at the corner of Main and Foster streets in the city of Worcester, now owned by said bank, an amount not exceeding eight hundred thousand dollars, in addition to any sums heretofore authorized to be invested in real estate for such use; provided, however, that nothing contained herein shall be construed as authorizing a total actual investment by said bank in real estate for such use exceeding in the aggregate the sum of one million eight hundred thousand dollars.

Savings may invest additional sum of money in erection, etc., of building for transaction of its business.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved March 23, 1923.

AN ACT PROHIBITING THE COMBINATION OF CERTAIN FATS AND OILS WITH MILK, CREAM OR SKIMMED MILK.

Chap. 170

Be it enacted, etc., as follows:

Chapter ninety-four of the General Laws is hereby amended by inserting after section seventeen the following new section:

G. L. 94, new section after § 17.

— *Section 17A.* No person himself or by his servant or agent shall, for the purposes of sale or exchange, add any fat or oil other than milk fat to, or blend or compound the same with, any milk, cream or skimmed milk, whether or not condensed, evaporated, concentrated, powdered, dried or desiccated, nor shall any person himself or by his servant or agent sell, exchange or deliver, or have in possession with intent to sell, exchange or deliver, or expose or offer for sale or exchange, any milk, cream or skimmed milk in any of the aforesaid forms to which has been added or with which has been blended or compounded any fat or oil other than milk fat. Whoever violates any provision of this section shall be punished by the penalties prescribed by section twenty-four.

Combination of certain fats and oils with milk, cream or skimmed milk prohibited.

Penalties.

Approved March 23, 1923.

AN ACT PROVIDING FOR THE REIMBURSEMENT OF THE TOWN OF NORFOLK FOR LOSS OF TAXES BY VIRTUE OF THE LEASE BY THE FEDERAL GOVERNMENT OF THE NORFOLK STATE HOSPITAL IN SAID TOWN.

Chap. 171

Be it enacted, etc., as follows:

The town of Norfolk shall, for the year nineteen hundred and twenty and for each year thereafter so long as the ownership of the Norfolk state hospital in said town remains in the commonwealth and said hospital is leased to the federal government, be reimbursed by it under sections thirteen to seventeen, inclusive, of chapter fifty-eight of the General Laws for the loss of taxes sustained by such town by virtue of such ownership, to the same extent and in the same manner as though said hospital were used by the commonwealth for the purposes of a public institution. No payment hereunder shall be made during the current fiscal year until an appropriation has been made sufficient to cover the same.

Reimbursement of town of Norfolk for loss of taxes by virtue of lease by federal government of Norfolk state hospital.

Approved March 23, 1923.

Chap.172 AN ACT RELATIVE TO THE EXHIBITION OF CERTAIN CORPORATE RECORDS FOR INSPECTION BY STOCKHOLDERS.

Be it enacted, etc., as follows:

G. L. 155, § 22,
amended.

Corporate records, stock and transfer books, etc., to be kept at office of corporation for inspection of stockholders.

To be competent evidence, etc. Liability for damage caused by neglect or refusal to exhibit copies, books, etc.

Court order for exhibition of books, etc.

Certain defence in action for damages, etc.

Section twenty-two of chapter one hundred and fifty-five of the General Laws is hereby amended by adding at the end thereof the following: — , but in an action for damages or a proceeding in equity under this section for neglect or refusal to exhibit for inspection the stock and transfer books, it shall be a defence that the actual purpose and reason for the inspection sought are to secure a list of stockholders for the purpose of selling said list or copies thereof or of using the same for a purpose other than in the interest of the applicant, as a stockholder, relative to the affairs of the corporation, — so as to read as follows: — *Section 22.* The agreement of association, an attested copy of the articles of organization or of articles in amendment of said agreement or of said articles and of the by-laws, with a reference on the margin of the copy of the by-laws to all amendments thereof, and a true record of all meetings of stockholders shall be kept by every corporation at its principal office in the commonwealth for the inspection of its stockholders. The stock and transfer books of every corporation, which shall contain a complete list of all stockholders, their residences and the amount of stock held by each, shall be kept at an office of the corporation in the commonwealth for the inspection of its stockholders. Said stock and transfer books and said attested copies and records shall be competent evidence in any court of the commonwealth. If any officer or agent of a corporation having charge of such copies, books or records refuses or neglects to exhibit them or to submit them to examination as aforesaid, he or the corporation shall be liable to any stockholder for all actual damages sustained by reason of such refusal or neglect, and the supreme judicial or superior court shall have jurisdiction in equity, upon petition of a stockholder, to order any or all of said copies, books or records to be exhibited to him and to such other stockholders as may become parties to said petition, at such a place and time as may be designated in the order, but in an action for damages or a proceeding in equity under this section for neglect or refusal to exhibit for inspection the stock and transfer books, it shall be a defence that the actual purpose and reason for the inspection sought are to secure a list of stockholders for the purpose of selling said list or copies thereof or of using the same for a purpose other than in the interest of the applicant, as a stockholder, relative to the affairs of the corporation.

Approved March 26, 1923.

Chap.173 AN ACT AUTHORIZING THE TOWN OF NEEDHAM TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of Needham may borrow money

SECTION 1. For the purpose of constructing a high school building and of purchasing original equipment and furnishings

for said building, the town of Needham may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, two hundred and eighty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Needham School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

for school purposes.

Needham School Loan, Act of 1923.

SECTION 2. The town of Needham, at its annual meeting in nineteen hundred and twenty-three or at any adjourned session thereof, may, by a vote in accordance with articles in the warrant for said meeting relative to the borrowing of money for school-house purposes, authorize the borrowing of money under the provisions of this act, and such authorization shall be fully effective, notwithstanding that the warrant for said meeting was served prior to the passage of this act.

Authorization by town.

SECTION 3. This act shall take effect upon its passage.

Approved March 27, 1923.

AN ACT AUTHORIZING THE CITY OF NORTHAMPTON TO INCUR INDEBTEDNESS FOR THE PURPOSE OF CONSTRUCTING A CITY HALL.

Chap. 174

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing a city hall and of originally equipping and furnishing said building, the city of Northampton may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Northampton City Hall Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

City of Northampton may borrow money for constructing a city hall.

Northampton City Hall Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1923.

AN ACT AUTHORIZING THE CITY OF LAWRENCE TO ACQUIRE LANDS, RIGHTS AND EASEMENTS AND TO INCUR INDEBTEDNESS FOR SEWERAGE PURPOSES.

Chap. 175

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing the proposed Woodland heights sewer and extending the Shanty pond sewer and of acquiring lands, rights of way or easements necessary therefor, the city of Lawrence may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Lawrence Sewer Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

City of Lawrence may borrow money for sewerage purposes.

Lawrence Sewer Loan, Act of 1923.

May acquire land, rights and easements for sewerage purposes, etc.

SECTION 2. The city council, acting for and in behalf of the city of Lawrence, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, rights of way or easements in said city, public or private, necessary for any purpose mentioned in this act, and may construct any such sewer under or over any bridge, railroad, railway, highway, boulevard or other way, or within the location of any railroad, and may enter upon and dig up any private land, street or way or railroad location for the purpose of laying such sewer and of maintaining and repairing the same, and may do any other thing necessary or proper for the purposes of this act; provided, however, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any such sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1923.

Chap.176 AN ACT RELATIVE TO INTEREST AND DISCOUNT ON INHERITANCE TAXES.

Be it enacted, etc., as follows:

G. L. 65, § 11, amended.

Interest on inheritance taxes.

Chapter sixty-five of the General Laws is hereby amended by striking out section eleven and inserting in place thereof the following: — *Section 11.* If taxes imposed by this chapter are not paid when due, interest at the rate of six per cent per annum shall be charged and collected thereon from the time the same became payable.

Approved March 28, 1923.

Chap.177 AN ACT RELATIVE TO THE REIMBURSEMENT OF CITIES AND TOWNS FOR EXPENSES INCURRED IN TRANSPORTING CERTAIN PAUPERS TO THE STATE INFIRMARY.

Be it enacted, etc., as follows:

G. L. 122, § 15, amended.

Sending of certain paupers to state infirmary by cities and towns.

Reimbursement for transportation expenses, etc.

Section fifteen of chapter one hundred and twenty-two of the General Laws is hereby amended by striking out, in the seventh line, the word "three" and inserting in place thereof the word: — twelve, — so as to read as follows: — *Section 15.* Towns may at their own expense send to the state infirmary, to be maintained at the public charge, all paupers falling into distress therein and having no settlement within the commonwealth. The town shall be reimbursed by the commonwealth, upon bills approved by the department, for the expense of transportation of each state pauper so sent, for the excess over thirty miles by the usual route, at a rate not exceeding twelve cents a mile.

Approved March 28, 1923.

AN ACT RELATIVE TO PAYMENTS OF CERTAIN SUMS OF MONEY TO FAMILIES OF LOCAL OR STATE POLICE OFFICERS DYING FROM INJURIES RECEIVED WHILE ON DUTY. *Chap. 178*

Be it enacted, etc., as follows:

Section eighty-seven of chapter thirty-two of the General Laws is hereby amended by striking out, in the third line, the words "sixty days" and inserting in place thereof the words: — six months, — so as to read as follows: — *Section 87.* If a policeman in a regularly organized police department of a city or town, or a member of the department of public safety doing police duty is killed, or dies within six months from injuries received, while in the performance of his duties, and his death is certified by the city or town clerk or commissioner of public safety, as the case may be, and by the attending physician or medical examiner, to the officer required to make payment as hereinafter provided, there shall be paid to his executor or administrator the sum of one thousand dollars for the use equally of his widow and minor children; or if there are minor children but no widow, to their use, or if there is no minor child, to the use of the widow. A child of full age dependent upon such policeman for support shall be regarded as a minor child. Payment shall be made by the treasurer of the city or town concerned, if the policeman was in the service of a city or town, and by the state treasurer if the policeman was a member of the department of public safety doing police duty.

G. L. 32, § 87, amended.

Payments to families of local or state police officers dying from injuries received while on duty.

Approved March 28, 1923.

AN ACT AMENDING THE ACT OF INCORPORATION OF THE EPISCOPAL CITY MISSION. *Chap. 179*

Be it enacted, etc., as follows:

Chapter ninety-two of the acts of eighteen hundred and forty-four is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* The said corporation may hold real and personal estate to an amount not exceeding that allowed by law, and may apply the net annual income therefrom, and also gifts, bequests and devises, not otherwise limited, to the moral and religious instruction of the poor, and to the support of public worship in the county of Suffolk.

1844, 92, § 2, amended.

The Episcopal City Mission may hold certain property and apply income therefrom, etc.

Approved March 28, 1923.

AN ACT RELATIVE TO THE PAYMENT OF RENTAL BY THE COMMONWEALTH TO THE CITY OF WORCESTER FOR THE USE OF ITS SEWERAGE SYSTEM FOR THE SEWAGE OF THE WORCESTER STATE HOSPITAL. *Chap. 180*

Be it enacted, etc., as follows:

Chapter three hundred and sixty-three of the Special Acts of nineteen hundred and sixteen, as amended in section two by section one of chapter one hundred and sixty-five of the Special

1916, 363 (S), § 2, etc., amended.

Payment of rental by commonwealth to city of Worcester for use of sewerage system for sewage of Worcester state hospital.

Acts of nineteen hundred and nineteen is hereby further amended by striking out said section two and inserting in place thereof the following:— *Section 2.* The commonwealth shall pay to the city of Worcester as rental for the use of its sewerage system for the sewage of the Worcester state hospital the sum of thirty-one hundred dollars annually for a period of five years, beginning December first, nineteen hundred and twenty-two.

Approved March 28, 1923.

Chap. 181 AN ACT RELATIVE TO THE PAYMENT OF STATE AND MILITARY AID AND SOLDIERS' RELIEF.

Be it enacted, etc., as follows:

G. L. 115, new section after § 3.

Payment of state and military aid and soldiers' relief.

Chapter one hundred and fifteen of the General Laws is hereby amended by inserting after section three the following new section:— *Section 3A.* In a city or town which, prior to January first, nineteen hundred and twenty-five, accepts this section, in a city by vote of the city council, or in a town by the voters thereof at a town meeting, no almoner or overseer of the poor, or officer performing similar duties, or any agent of any of them, shall directly or indirectly act as agent or disbursing officer of the aldermen or selectmen for the payment of state or military aid or soldiers' relief; provided, that this section shall not operate to prevent selectmen in towns who are also overseers of the poor from acting in their capacity as selectmen or through an agent acting for the selectmen.

Approved March 28, 1923.

Proviso.

Chap. 182 AN ACT PROHIBITING UNTIL THE YEAR NINETEEN HUNDRED AND TWENTY-FIVE THE TAKING OF QUAIL IN THE COUNTIES OF HAMPSHIRE, NORFOLK AND WORCESTER.

Be it enacted, etc., as follows:

1922, 89, amended.

Taking of quail in certain counties prohibited until year 1925.

Chapter eighty-nine of the acts of nineteen hundred and twenty-two is hereby amended by inserting after the word "Hampden" in the fourth line the word:—, Hampshire,— and by inserting after the word "Middlesex" in the fifth line the words:—, Norfolk, Worcester,— so as to read as follows:— *Chapter 89.* It shall be unlawful, before the beginning of the open season for quail throughout the commonwealth in the year nineteen hundred and twenty-five, to hunt, pursue, take or kill a quail in the counties of Dukes, Essex, Hampden, Hampshire, Middlesex, Norfolk, Worcester and Nantucket, or to have quail or any part thereof in possession taken in said counties, except quail propagated under the provisions of section eighty-two or eighty-three of chapter one hundred and thirty-one of the General Laws. Violation of any provision of this act shall be punished by a fine of twenty dollars for each bird or part thereof in respect to which the violation occurs.

Approved March 28, 1923.

Penalty.

AN ACT RELATIVE TO INITIATIVE OR REFERENDUM PETITIONS. *Chap. 183*

Be it enacted, etc., as follows:

Chapter fifty-six of the General Laws is hereby amended by striking out section thirteen and inserting in place thereof the following: — *Section 13.* Whoever falsely makes or wilfully alters, defaces, mutilates, destroys or suppresses a certificate of nomination or nomination paper, or letter of withdrawal of a name from such paper, or an initiative petition or a petition for the submission of a question to the voters, or unlawfully signs any such certificate, paper, letter or petition, or files any such certificate, paper, letter or petition, knowing the same to be falsely made or altered, shall be punished by imprisonment for not more than one year.

Approved March 28, 1923.

G. L. 56, § 13, amended.

Penalty for certain offences concerning nomination papers, initiative and referendum petitions, etc.

AN ACT AUTHORIZING THE MALDEN TRUST COMPANY TO HOLD ADDITIONAL REAL ESTATE IN THE CITY OF MALDEN. *Chap. 184*

Be it enacted, etc., as follows:

The Malden Trust Company, a trust company incorporated by chapter four hundred and sixty of the acts of eighteen hundred and ninety-six and having its usual place of business in the city of Malden may, subject otherwise to the provisions of section forty-one of chapter one hundred and seventy-two of the General Laws, as amended by chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-two and to the approval of the commissioner of banks, hold real estate in said city suitable for and to be used in whole or in part for the transaction of its business to an amount, including the cost of alterations and additions in the nature of permanent fixtures, not exceeding, directly or indirectly, one hundred and seventy-five thousand dollars, in addition to the amount permitted by said section forty-one, amended as aforesaid, to be held by said trust company at the time this act takes effect.

Approved March 28, 1923.

Malden Trust Company may hold additional real estate in city of Malden.

AN ACT REQUIRING ANNUAL REPORTS TO THE DIVISION OF FISHERIES AND GAME RELATIVE TO FUR-BEARING ANIMALS CAUGHT OR KILLED IN THIS COMMONWEALTH. *Chap. 185*

Be it enacted, etc., as follows:

Chapter one hundred and thirty-one of the General Laws is hereby amended by inserting after section fifty-one the following new section: — *Section 51A.* Annually on or before January tenth, every person who traps or kills fur-bearing animals in this commonwealth during the preceding year shall make a report to the division, in writing, of the number and kinds of such animals caught or killed during said year; provided, that this section shall not apply to such animals killed or destroyed while damaging property and from the furs or pelts of which no value or profit is obtained. Any such person failing to make a report as herein provided shall be debarred from obtaining a certificate entitling him to hunt or trap in this commonwealth, so long as such failure continues.

Approved March 28, 1923.

G. L. 131, new section after § 51.

Reports to division of fisheries and game as to fur-bearing animals caught or killed, etc. Proviso.

Failure to make report.

Chap.186 AN ACT RELATIVE TO THE HOLDING OF CAUCUSES OTHER THAN
THOSE OF POLITICAL PARTIES.

Be it enacted, etc., as follows:

G. L. 53, § 117,
amended.

Twenty-five or
more voters
may hold
caucus for city
and town
offices, etc.

Section one hundred and seventeen of chapter fifty-three of the General Laws is hereby amended by striking out the second sentence, so as to read as follows: — *Section 117.* A caucus of the voters, or of a specified portion thereof in a ward of a city, or in a town, may be called and held for the nomination of candidates to be voted for at any city election, or at any election of town officers for which official ballots are used, or for the selection of delegates to a convention, or for the appointment of a committee. The proceedings of such caucuses shall be invalid unless at least twenty-five voters participate and vote therein. Except as provided in this section, no caucus or meeting other than those of political parties shall be entitled to nominate a candidate whose name shall be placed on the official ballot, or to select delegates to a political convention for the nomination of a candidate whose name shall be placed on such ballot.

Approved March 28, 1923.

Chap.187 AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO INCUR
INDEBTEDNESS FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

Town of
Framingham
may borrow
money for
sewerage
purposes.

Framingham
Sewer Loan,
Act of 1923.

SECTION 1. For the purpose of extending its sewerage system, the town of Framingham may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, the sum of one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Framingham Sewer Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 29, 1923.

Chap.188 AN ACT AUTHORIZING THE TOWN OF DARTMOUTH TO MAKE
ADDITIONAL WATER LOANS.

Be it enacted, etc., as follows:

Town of Dart-
mouth may
make addi-
tional water
loans.

Dartmouth
Water Loan,
Act of 1923.

SECTION 1. For the purpose of extending its water mains and improving its water distribution facilities, the town of Dartmouth may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Dartmouth Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. The town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required by law, shall without further vote, be assessed by the assessors of the town annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

Payment of loan, etc.

SECTION 3. This act shall take effect upon its passage.

Approved March 29, 1923.

AN ACT AUTHORIZING OHAVI SEDEK, A BENEVOLENT CORPORATION, TO MAINTAIN A CEMETERY AND TO PAY CERTAIN FUNERAL EXPENSES.

Chap. 189

Be it enacted, etc., as follows:

SECTION 1. Ohavi Sedek, a benevolent corporation organized under general law, is hereby authorized, subject to all laws, ordinances and by-laws with reference to cemeteries, to acquire and hold land in the city of Boston, and to hold land already acquired, for the purposes of a cemetery, and to bury therein the bodies of its deceased members and the bodies of deceased persons belonging to the families of said members.

Ohavi Sedek, a benevolent corporation, may maintain a cemetery, etc.

SECTION 2. The said corporation may make, and enforce among its members, all reasonable rules for the regulation and management of said cemetery, for burials therein and removal of bodies therefrom, for the erection of monuments and other structures therein and for the payment of funeral expenses to the next of kin of a member on his demise or to a member on the demise of his wife or child. The said corporation shall comply with all general laws relative to cemeteries, and with such rules and regulations as may be made by the board of health in the city where the cemetery is situated.

May make rules for management of cemetery, burials, payment of funeral expenses, etc.

SECTION 3. This act shall take effect upon its acceptance by a majority vote of the members of said corporation present and voting thereon at a meeting duly called for the purpose.

To comply with certain laws, etc.

To be submitted to members of corporation, etc.

Approved March 29, 1923.

AN ACT REGULATING THE PAYMENT OF RETIREMENT ALLOWANCES TO MEMBERS OF COUNTY RETIREMENT ASSOCIATIONS.

Chap. 190

Be it enacted, etc., as follows:

SECTION 1. Section twenty-five of chapter thirty-two of the General Laws, as amended by chapter four hundred and eighty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out paragraph (2) *B (b)* and inserting in place thereof the following: — (*b*) A life annuity of less amount, payable monthly, with the provision that if the annuitant dies before receiving annuity payments equal to the amount used to purchase the annuity, the difference shall be paid to his legal representatives.

G. L. 32, § 25, etc., amended.

County retirement associations, annuities from employees' deposits.

G. L. 32, § 25,
etc., amended.

County retire-
ment associa-
tions, minimum
and maximum
payments.

SECTION 2. Said section twenty-five, as amended by said chapter four hundred and eighty, is hereby further amended by striking out paragraph (2) *E* and inserting in place thereof the following: — *E. Minimum and Maximum Payments.* Except as otherwise provided, in no case shall a member, whether he has elected the form of annuity provided for in paragraph (2) *B (a)* or (2) *B (b)* of this section, be retired at such an annual rate of pension as would, when added to the annual amount required to be paid from the annuity fund to a member who elects the form of annuity provided for in said paragraph (2) *B (a)*, amount to a total retirement allowance of less than three hundred dollars, and in no case shall a member who has elected either of the aforesaid forms of annuity be retired at such an annual rate of pension as would, when added to the annual amount required to be paid from the annuity fund to a member who elects the form of annuity provided for in said paragraph (2) *B (a)*, amount to a total retirement allowance of more than one half the average annual rate of his salary or wages during the five years prior to retirement, or, if such member resigns or is dismissed prior to the date of retirement, during the five years prior to such resignation or dismissal. For the purpose of determining the maximum pension and the maximum annuity under this section, the rate of salary or wages received by a member on the date immediately preceding a period of absence without pay shall be used as the rate of pay which he would have received during such absence without pay.

Approved March 29, 1923.

Chap. 191 AN ACT AUTHORIZING THE ESTABLISHMENT OF A LICENSING COMMISSION IN THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

Licensing
commission
established in
city of Som-
erville.

Powers.

Appointment
of members,
compensation,
etc.

To have powers
and duties of
licensing
boards, etc.

To be sub-
mitted to board
of aldermen,
etc.

Proviso.

SECTION 1. The city of Somerville may by ordinance establish a licensing commission and from time to time place in charge of and withdraw from said commission the issuing of such of the licenses, now or hereafter authorized by law to be issued by its board of aldermen, as the city may by ordinance determine. Said commission shall have all the powers conferred by the statutes of the commonwealth upon the board of aldermen and the mayor in relation to such licenses as may be placed in its charge and the regulation of the subject matters thereof. The members of said commission shall be appointed by the mayor, subject to confirmation by the board of aldermen, and shall receive such compensation, if any, as the mayor and board of aldermen may determine. The powers and duties of licensing boards, mentioned in section four of chapter one hundred and thirty-eight of the General Laws, shall vest in said commission.

SECTION 2. This act shall take effect upon its acceptance by vote of the board of aldermen of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 29, 1923.

AN ACT RELATIVE TO THE MERGER OR CONSOLIDATION OF
INSURANCE COMPANIES. *Chap. 192*

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by striking out section nineteen A, inserted by chapter one hundred and seventy-two of the acts of nineteen hundred and twenty-one, and inserting in place thereof the following: — *Section 19A.* Two or more domestic companies may merge or consolidate into one corporation, or a domestic company may merge or consolidate with any company or companies organized under the laws of any state of the United States into one corporation, which shall be a domestic corporation. In either case the title of such new corporation shall be subject to the provisions of section forty-nine. Companies merging or consolidating under this section shall enter into a written agreement for such merger or consolidation prescribing its terms and conditions, the classes of business it proposes to transact subject to sections forty-eight, fifty-one and fifty-four, the amount of the capital stock, if any, of the new corporation, which shall not be a larger amount than the aggregate amount of the capital stock of the merged or consolidated companies nor less than the minimum amount specified in said sections forty-eight and fifty-one, and the number of shares into which said capital stock is to be divided. In all respects, the new corporation shall be subject to the provisions of this chapter, except as otherwise expressly provided in this section. Such agreement shall be assented to by a vote of the majority of the board of directors of each company and approved by the votes of the stockholders, if any, owning at least two thirds of the stock of each company at a meeting called for the purpose, notice of which meeting shall be given in accordance with law, and also published at least once a week for three successive weeks in some newspaper printed in the commonwealth, and if any of the merging or consolidating companies are domiciled outside of the commonwealth at least once a week for three successive weeks in some newspaper printed in the town where such company has its principal office, or, if there are no stockholders, such agreement shall be assented to by a vote of the majority of the board of directors of each company and approved by the votes of at least two thirds of the policyholders of each company, actually present or represented at a meeting called for the purpose, notice of which meeting shall be given as hereinbefore provided. Such agreement shall be subject to the written approval of the commissioner, shall be executed in duplicate by the president and secretary and by a majority of the board of directors of each company under its corporate seal, shall be accompanied by copies of the resolutions authorizing the merger or consolidation and the execution of the agreement attested by the recording officer of each company and shall, with the records of the companies pertaining thereto, be submitted to the commissioner. If it appears that the requirements of this section have been complied with, the commis-

G. L. 175, 19A,
etc., amended.

Merger or con-
solidation of
insurance
companies.

Title of new
corporation.

Written agree-
ment for
merger, etc.

Agreement to
be assented to
by directors
and approved
by stock-
holders, etc.

Assent to and
approval of
agreement if
no stockholders.

Agreement to
be approved
by commis-
sioner, executed
in duplicate,
etc.

State secretary
to issue certi-
ficate of reincor-
poration, etc.

Certificates of
stock, return,
issue of new
certificates, etc.

Rights, obliga-
tions, etc., of
merged com-
panies.

Liability of
stockholders
and policy-
holders to
continue, etc.

Actions pend-
ing at time of
merger not to
abate, etc.

Stock and
mutual com-
panies not to
merge.

sioner may so certify and approve the agreement by his endorsement thereon. One of the duplicates of such agreement shall thereupon be filed with the state secretary, who shall cause the same to be recorded and shall issue a certificate of reincorporation to the new company with the powers retained and specified in the agreement, and the other duplicate shall be retained by the commissioner. No such agreement shall take effect until it has been filed in the office of the state secretary as aforesaid. The new company may require the return of the original certificates of stock held by each stockholder in each of the companies merged or consolidated and issue in lieu thereof new certificates for such number of shares of its own stock as the stockholder may be entitled to receive. Upon such merger or consolidation all rights and properties of the several companies shall accrue to and become the property of the new company which shall succeed to all the obligations and liabilities of the merged or consolidated companies, in the same manner as if they had been incurred or contracted by it. The stockholders or policyholders of the merged or consolidated companies shall continue to be subject to all the liabilities, claims and demands existing against them at or before such merger or consolidation. No action or proceeding pending at the time of the merger or consolidation in which any or all of the companies merged or consolidated may be a party shall abate or be discontinued by reason of the merger or consolidation, but the same may be prosecuted to final judgment in the same manner as if the merger or consolidation had not taken place, or the new company may be substituted in place of any company so merged or consolidated by order of the court in which the action or proceeding may be pending. Nothing in this section shall authorize the merger or consolidation of stock companies with mutual companies.

Approved March 29, 1923.

Chap. 193 AN ACT AUTHORIZING THE PURCHASE OF CERTAIN HISTORICAL WORKS RELATIVE TO THE SERVICE OF MASSACHUSETTS MEN IN THE ARMY OR NAVY DURING THE CIVIL, SPANISH OR WORLD WAR.

Be it enacted, etc., as follows:

Certain his-
torical works
relative to
service of
Massachusetts
men in army
or navy during
civil, Spanish
or World war
may be pur-
chased by sec-
retary of the
commonwealth,
etc.

SECTION 1. Whenever there shall be published or shall be prepared for publication a history of any military or naval organization of Massachusetts men who served in the army or navy during the civil, Spanish or World war, or of any such organization the major part of which, as determined by the adjutant general, consisted of Massachusetts men, which history shall be shown to the satisfaction of the governor and council to be so far as is practicable in such works, faithfully and accurately prepared and historically correct, to contain matter not previously published or accessible to the general historian, and to be of sufficient reliability and importance to justify the purchase of copies as herein provided for, the secretary of the commonwealth, with the approval of the governor and council and

at a price to be fixed by them, not to exceed two dollars per copy, shall purchase not more than five hundred copies of such history.

SECTION 2. The volumes purchased under this act shall be distributed as follows: — One copy to the office of the secretary of the commonwealth; one to the office of the adjutant general; one to the free public library of each city and town; one to the library of each college or university in the commonwealth; one to each of such historical societies in the commonwealth as may be designated by the secretary of the commonwealth; one to the library of congress; one to the library of each state and territory of the union; ten copies to the state library; and the remainder at the discretion of the secretary of the commonwealth, preference to be given by him to free libraries.

Distribution of
volumes pur-
chased.

SECTION 3. Chapter four hundred and thirteen of the acts of eighteen hundred and ninety-three, chapter three hundred and eighty-eight of the acts of eighteen hundred and ninety-nine, chapter two hundred and forty-one of the acts of nineteen hundred and eight and chapter one hundred and forty-seven of the General Acts of nineteen hundred and nineteen are hereby repealed.

Repeals.

Approved March 29, 1923.

AN ACT RELATIVE TO THE QUALIFICATIONS FOR APPOINTMENT
OF INSPECTORS OF PLUMBING IN CITIES AND IN CERTAIN
TOWNS.

Chap. 194

Be it enacted, etc., as follows:

Section eleven of chapter one hundred and forty-two of the General Laws is hereby amended by inserting after the word "appointment" in the seventh line the following: — ; provided, that any time spent in service in the army, navy or marine corps of the United States in time of war or insurrection shall be deemed a part of the period of continuous practical experience so required, — so as to read as follows: — *Section 11.* The said inspector of buildings, if any, otherwise the board of health, of each city and town, shall, within three months after it becomes subject to sections one to sixteen, inclusive, appoint from the classified civil service list one or more inspectors of plumbing who shall be practical plumbers and shall have had practical experience either as master plumbers or journeymen, continuously, during five years next preceding their appointment; provided, that any time spent in service in the army, navy or marine corps of the United States in time of war or insurrection shall be deemed a part of the period of continuous practical experience so required. Such inspector of buildings or board may remove them for cause shown and shall, subject to approval of the city council or selectmen, fix their compensation which shall be paid by the city or town. Said inspectors of plumbing shall inspect all plumbing in process of construction, alteration or repair for which permits are granted within their respective cities and towns and shall report to their appointing power or board violations of any law, ordinance, by-law, rule or regulation relative to plumbing; they shall perform such other

G. L. 142, § 11,
amended.

Inspectors of
plumbing in
cities and in
certain towns,
appointment,
qualifications,
etc.

Proviso.

Removal.

Compensation.
Duties.

appropriate duties as may be required. The approval of plumbing by any inspectors other than those provided for by this chapter shall not be a compliance therewith.

Approved March 29, 1923.

Chap.195 AN ACT RELATIVE TO THE INCONTESTABILITY OF LIFE INSURANCE POLICIES.

Be it enacted, etc., as follows:

G. L. 175, § 132,
provision 2,
etc., amended.

Incontestability
of life insurance
policies.

Provision 2 of section one hundred and thirty-two of chapter one hundred and seventy-five of the General Laws, as amended by chapter seventy-five of the acts of nineteen hundred and twenty-two, is hereby further amended by adding at the end thereof the words: — and except, if the company so elects, for the purpose of contesting claims for total and permanent disability benefits or additional benefits specifically granted in case of death by accident, — so as to read as follows: — 2. A provision that the policy shall be incontestable after it has been in force during the lifetime of the insured for a period of two years from its date of issue except for non-payment of premiums or violation of the conditions of the policy relating to military or naval service in time of war and except, if the company so elects, for the purpose of contesting claims for total and permanent disability benefits or additional benefits specifically granted in case of death by accident.

Approved March 29, 1923.

Chap.196 AN ACT RELATIVE TO THE SALE OF COAL IN PAPER BAGS OR SACKS AND TO THE SALE OF COKE AND CHARCOAL.

Be it enacted, etc., as follows:

G. L. 94, § 241,
etc., amended.

Sale of coal,
coke and char-
coal in bags,
sacks, etc.

SECTION 1. Chapter ninety-four of the General Laws, as amended in section two hundred and forty-one by section one of chapter ninety-five of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section two hundred and forty-one, as amended, and inserting in place thereof the following: — *Section 241.* Coal in quantities of one hundred pounds or less shall be sold by weight, and coke and charcoal in quantities of one hundred pounds or less shall be sold by weight or measure, in bags, sacks or baskets, and until delivered shall be kept in the same bags, sacks or baskets in which they were weighed or measured; and coal, coke and charcoal thus sold shall be exempt from section two hundred and forty-four. When sold by weight, such bags, sacks or baskets shall be plainly marked with the name of the person who puts up the same and with the weight of the coal, coke or charcoal therein in letters and numerals, respectively, of bold uncondensed type at least one inch in height. Paper bags or sacks used in the sale of coal shall contain and shall be sold as containing twenty-five pounds, avoirdupois weight.

Sale of coal in
paper bags,
etc.

G. L. 94, § 240,
etc., amended.

SECTION 2. Section two hundred and forty of said chapter ninety-four, as amended by section two of said chapter ninety-

five, is hereby further amended by striking out the last sentence and inserting in place thereof the following: — Coke and charcoal in any quantities shall be sold only by weight or measure, — so as to read as follows: — *Section 240.* Coal shall be sold by weight, and, except when sold by cargo, two thousand pounds avoirdupois shall be the standard for the ton. Coke and charcoal in any quantities shall be sold only by weight or measure.

Approved March 29, 1923.

Coal to be sold by weight.

Coke and charcoal to be sold by weight or measure.

AN ACT TO EXTEND THE AUTHORITY OF THE COMMISSIONER OF INSURANCE RELATIVE TO HEARINGS.

Chap. 197

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section eight the following new section: — *Section 8A.* At any hearing which the commissioner is authorized by law to hold, he may by summons require the attendance and testimony of witnesses and the production of books, records and papers touching upon the matters in question at such hearing, and may administer oaths to such witnesses. The fees of such witnesses for attendance and travel shall be the same as for witnesses before the superior court in civil cases and shall be paid by the commonwealth upon the certificate of the commissioner filed with the comptroller. Fees of such witnesses need not be paid or tendered to them prior to their attendance and testimony. This section shall not affect any powers conferred upon the commissioner by section four.

Approved March 29, 1923.

G. L. 175, new section after § 8.

Commissioner of insurance may require attendance and testimony of witnesses at hearings, etc.

Witness fees.

Certain powers not affected.

AN ACT RELATIVE TO REFERENCE PROCEEDINGS UNDER STANDARD FIRE POLICIES OF DOMESTIC FIRE INSURANCE COMPANIES IN RECEIVERSHIP.

Chap. 198

Be it enacted, etc., as follows:

SECTION 1. Section one hundred of chapter one hundred and seventy-five of the General Laws, as amended by chapter one hundred and fifty-two of the acts of the current year, is hereby further amended by adding at the end thereof the following new paragraph: — The appointment of a receiver for a domestic fire company, whether before or after any referees are chosen or appointed under this section, shall not affect the requirements of said section, and the receiver shall be under the same duties and obligations and have the same rights and powers in relation to referees as are imposed and conferred by said section upon the company. Any claim of a referee, whether chosen or appointed before or after the receiver's appointment, for his compensation and expenses due from the company or the receiver shall be deemed and treated as preferred over claims for losses.

SECTION 2. The provisions of section one of this act shall apply in every case in which the property and effects of a domestic fire insurance company are in the possession of a receiver at the time this act takes effect. *Approved March 29, 1923.*

G. L. 175, § 100, etc., amended.

Reference proceedings under standard fire policies of domestic fire insurance companies in receivership.

Referees' claims for compensation to be preferred, etc.

When provisions of section one are to apply.

Chap.199 AN ACT RELATIVE TO THE TENURE OF OFFICE OF THE CITY CLERK OF THE CITY OF REVERE AND TO THE MANNER OF HIS ELECTION AND REMOVAL.

Be it enacted, etc., as follows:

City clerk of city of Revere, tenure of office and manner of election and removal.

SECTION 1. The city clerk of the city of Revere in office at the time this act takes effect and any person thereafter elected to fill any vacancy existing in such office shall hold office during good behavior and until the city council shall remove him therefrom in accordance with the provisions of chapter thirty-one of the General Laws and the rules and regulations made thereunder relative to removals from the classified public service. After this act takes effect, any vacancy in the office of city clerk in said city shall be filled by election by its city council.

Filling of vacancy.

To be submitted to voters, etc.

SECTION 2. This act shall be submitted to the voters of said city at the next state election in the form of the following question to be placed upon the official ballot: "Shall an act passed by the general court in the year nineteen hundred and twenty-three, entitled 'An Act relative to the tenure of office of the City Clerk of the City of Revere and to the manner of his election and removal', be accepted?"

YES.	
NO.	

If a majority of the votes cast on said question are in the affirmative, this act shall take effect, but not otherwise.

Approved March 30, 1923.

Chap.200 AN ACT AUTHORIZING THE TOWN OF ROCKPORT TO FUND AND REFUND CERTAIN REVENUE LOANS.

Be it enacted, etc., as follows:

Town of Rockport may fund and refund certain revenue loans.

SECTION 1. The town of Rockport may refund or extend from time to time for a period not exceeding two years from the date of the passage of this act revenue loans issued on account of the revenue of the year nineteen hundred and twenty-two, and now outstanding, to an amount not exceeding forty thousand dollars, the same to be outside the statutory limit of indebtedness. None of the uncollected taxes of the year nineteen hundred and twenty-two and prior years shall be appropriated for any purpose other than to meet existing revenue loans issued prior to January first, nineteen hundred and twenty-three, or refunding loans herein authorized, so long as any of such loans are outstanding. The town of Rockport is hereby further authorized to fund certain of the revenue loans of nineteen hundred and twenty-two and to incur indebtedness therefor to an amount not exceeding forty thousand dollars, and to issue bonds or notes therefor, which shall bear on their face the words, Rockport Refunding Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Rockport Refunding Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved March 31, 1923.

AN ACT TO EXTEND THE TIME FOR COMPLETING THE RAILROAD OF THE SOUTHERN NEW ENGLAND RAILROAD CORPORATION. *Chap.201*

Be it enacted, etc., as follows:

The time within which the Southern New England Railroad Corporation may complete and open its railroad for use is hereby further extended to December thirty-first, nineteen hundred and twenty-six. *Approved April 2, 1923.*

Time extended for completing railroad of Southern New England Railroad Corporation.

AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY FOR THE DECORATION OF SOLDIERS' GRAVES AND FOR THE PROPER OBSERVANCE OF MEMORIAL DAY AND OTHER PATRIOTIC HOLIDAYS. *Chap.202*

Be it enacted, etc., as follows:

Section five of chapter forty of the General Laws, as amended by chapter three hundred and seventy-one and by section six of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one is hereby further amended by striking out clause twelve and inserting in place thereof the following: —

G. L. 40, §5, cl. 12, etc., amended.

(12) For erecting headstones or other monuments at the graves of persons who served in the war of the revolution, the war of eighteen hundred and twelve, the Seminole war, the Mexican war or the war of the rebellion or who served in the military or naval service of the United States in the Spanish American war or in the World war; for acquiring land by purchase or by eminent domain under chapter seventy-nine, purchasing, erecting, equipping or dedicating buildings, or constructing or dedicating other suitable memorials, for the purpose of properly commemorating the services and sacrifices of persons who served as aforesaid; for the decoration of the graves, monuments or other memorials of soldiers, sailors and marines who served in the army, navy or marine corps of the United States in time of war or insurrection and the proper observance of Memorial Day and other patriotic holidays under the auspices of the local posts of the Grand Army of the Republic, United Spanish War Veterans and The American Legion; or for keeping in repair graves, monuments or other memorials erected to the memory of such persons or of its firemen who died from injuries received in the performance of their duties in the fire service or for decorating the graves of such firemen or for other memorial observances in their honor. Money appropriated in honor of such firemen may be paid over to, and expended for such purposes by, any veteran firemen's association or similar organization. *Approved April 3, 1923.*

Cities and towns may appropriate money for decoration of soldiers' graves and for observance of Memorial Day and other patriotic holidays, etc.

AN ACT DISSOLVING CERTAIN CORPORATIONS.

Chap.203

Whereas, It is necessary that certain delinquent corporations be dissolved before April first in the current year, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Certain corporations dissolved.

Be it enacted, etc., as follows:

Certain
corporations
dissolved.

SECTION 1. Such of the following named corporations as are not already legally dissolved are hereby dissolved, subject to the provisions of sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws: —

A. A. Bellefontaine Company
A-A-Sales Company
A and K Waste Co., Inc.
A. & N. Box & Shook Company
A, B & G Theatre Circuit Company
A. C. Jones Company, Inc.
A. C. Morse & Sons, Inc.
A. E. Aikins and Company, Incorporated
A. E. Bolton Company, Incorporated
A. E. Cleveland Co.
A. E. Lyon Company, The
A. E. Sault Co., The
A. Greenberg Poultry Company
A. H. Bliss Company
A. J. Gallagher Company, The
A. J. Harris Co.
A. P. Soucy Mfg. Co., The
A. S. Campbell Company (1910)
A. S. Meredith & Co. Inc.
A. S. Student Company, Inc., The
A. T. Smith Company
Abba Tool and Machine Corporation
Aberdeen Thread Company
Abington Strawberry Growers Co-operative Exchange
Accounting Corporation, The
Acme Auto Service, Inc.
Acme Dental Co. (Inc.)
Acme Letter Service, Inc.
Acme Paper Co. Inc.
Acme Shoe Co.
Acton Farms Milk Company
Adams Drug Store, Incorporated
Adams Pharmacy of Somerville, Inc., The
Adams Publicity Service, Inc.
Advance Machine Co., The
Advance Photoplay Co.
Advance Upholstering Company
Aeolian Macaroni Company
Aerial Service Company
Aetna Bag & Burlap Company
Aetna Pharmacy Incorporated
Agawam Cranberry Company, The
Air Service Corporation
Airdry Company of New England
Ajax Motor Sales Company, Inc.
Ajax Motors Corporation
Aland Engine Corporation

Albert R. Daloz Incorporated
 Alden Rubber Company
 Al-Fontaine Co., The
 Algoten Shoe Company
 Algonquin Sweets Company
 Algonquist Slipper Manufacturing Company
 All America Fur Ranching Company
 All-Sugar Products Company
 Allen Spindle Corporation
 Alles & Fisher Inc. (1918)
 America-Finland Export Company, Inc.
 American Accountants Corporation
 American Aerial Service Company
 American Aluminum Solder Co.
 American Auto Finance Company
 American Auto Sales Company, Incorporated
 American Auxiliary Heating Co.
 American Bakeries Inc.
 American Bisque Porcelain Company
 American Cellulose Products Company
 American Chain Shoe Shop Inc.
 American Cinekrome Corporation
 American Coat & Sales Company, Inc.
 American Commercial Company
 American Core-Twine Company (1911)
 American Crucible Company
 American Economy Products Co., Inc.
 American Electric Co.
 American Halibut Company
 American Importing Company
 American Indian Memorial Film, Inc.
 American Institute of Journalism, Incorporated
 American Isinglass Company
 American-Italian Cheese Company
 American Jobbing Company
 American Life-Saving Garment Company
 American Metal Parts Corporation
 American No-Slip Cement Company
 American Pennant & Sporting Goods Company
 American Products Company
 American Refining Company
 American Retreading Corporation, The
 American Shoe and Leather Finish Company
 American Smokeless Powder Company
 American Spark Plug Company
 American Tie Plate Company
 American Trading & Development Company
 American Voting Machine Co. of Massachusetts, The
 Americanism Film Library Corporation
 Ames CreamAlmond Food Products Co.
 Ames Sword Company
 Amory Browne Export Corporation
 Andover Humus Company

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Andover Rubber Company, The
 Andre Manufacturing Company, Inc.
 Andrew G. Paul Company
 Andrews Inc. (1908)
 Angell Machine Co.
 Angier Mills
 Anglo-American Brewery, Incorporated
 Animated Advertising Company
 Anson Motor Car Company, Inc.
 Apex Products, Inc.
 Apex Shoe Manufacturing Company
 Apollo Social Club, (Inc.)
 Aqua-Thermos Appliance Company
 Arcadia Building Corporation
 Architectural Review Company, The
 Arlington Casket Company (1919)
 Arlington Theatre Stock Company
 Armenian Steamship Corporation, The
 Army & Navy Supply Company
 Army Supplies Military Shop, Inc.
 Aroostook Farming and Lumber Co.
 Arrow Film Co. of New England
 Art-Kraft Clothing Company
 Arthur G. Wilson Company
 Arthur M. Harvey, Incorporated
 Artisan Publishing Company
 Artola Productions, Inc.
 Arverne Blouses, Inc.
 Asphaltum Sales Company
 Aspinwall Garage Company
 Associate Power Company, The
 Associated Film Service, Inc.
 Associated New England Laundries Incorporated
 Associated Tanners Machinery Company
 Aston Hardware Company
 Athol Comb Company
 Atkinson Coal Company
 Atlantic Air Service Corporation
 Atlantic & Pacific Fish Company, The
 Atlantic Coast Power Company
 Atlantic Drug Company
 Atlantic Fixture & Appliance Company
 Atlantic House-wrecking Company, The
 Atlantic Motor Sales Co.
 Atlantic Mutual Fisheries Company
 Atlantic Paper Box Company
 Atlantic Publishing Company
 Atlantic Security Company
 Atlantic Steamship Operating Corporation
 Atlas Bread Company
 Atlas Roof Coating Company
 Atlas Wholesale Drug Company
 Atlas Window Shade and Screen Co.

Atlast Specialty Co., The
 Auditorium Theatre Incorporated, Lynn, Mass.
 Auto-Avis Construction Company
 Auto Body Builders Incorporated
 Auto-Curtain Glass Company, Incorporated
 Auto Electric Ignition Company
 Auto Rapid Transit Company
 Auto Specialty Company, Inc., The
 Auto Tire Exchange of Worcester, Inc.
 Auto Tire Service Company
 Automatic Accounting Company
 Automatic Electric Piano Company
 Automatic Line Indicator Company
 Automatic Wood Heel Machinery Co.
 Automobile Owners Tire Service Ass'n, Incorporated
 Automotive Acceptance Corporation
 Automotive Equipment Co.
 Avenir Products Company, Inc.
 Ayer Contracting Company
 B. A. Lazarus Co.
 B & B Iron Works, Inc.
 B. & B. Manufacturing Co., The
 B. & G. Transportation Company
 B. & S. Shoe Company
 B. C. L. Company
 B. Cohen & Sons, Inc.
 B. L. Piper, Inc.
 B. Rutstein & Sons Company
 Baby and Lingerie Shop, Inc., The
 Back Bay Pharmacy, Inc.
 Backus Foundry Incorporated
 Bacon, Rollins Company
 Bailey & Company, Incorporated
 Bailie Basket Manufacturing Company, The
 Baisley-Mitchell Company
 Bakeman and Williams, Inc. (1920)
 Baker-Burgess Company
 Bakers Standard Manufacturing Co.
 Balch, Price & Co. Inc.
 Bankers Acceptance Corporation of Boston
 Bankers Importing Company
 Banks Dry Goods Co. Inc.
 Barbour-Wenz Import Company, The
 Barnard Company, The
 Barnard Construction Company, The
 Barone Brothers, Incorporated
 Barre Farmers' Coöperative Exchange
 Barrett and Curtis Construction Company
 Barrett Brothers Incorporated
 Barrett Hudson Automobile Company, Incorporated
 Barron-Bresnahan Leather Co.
 Barry & Mitchell Co.
 Bassi Leather Company

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Bates and Bacon Export Company
Bates & Bacon, Inc.
Bates & Ellsworth Co., Inc.
Battery Service Co. of N. E.
Battery Wharf Store Company
Bay Path Printing Company
Bay State Bag and Burlap Company
Bay State Building Finish Company
Bay State Coal and Wood Company, The
Bay State Co-Operative Association
Bay State Creamery Inc.
Bay State Laundry and Netting Manufacturing Company
Bay State Moulding Co.
Bay State Theatre Co.
Bay State Travelling Bag Company
Bay State Trucking Co.
Bay State Yarn Company
Bay View Cranberry Company
Bazley & Carpenter, Inc.
Beacon Auto Machine Company
Beacon Falls Rubber Shoe Company, The
Beacon Realty Company
Beacon Spring & Mattress Co.
Beaudry & Company, Incorporated
Beaver Brook Knitting Co., Inc.
Beede, Kelly & Beede, Inc.
Belcher and Taylor Agricultural Tool Company
Bell Auto Supply Co.
Belle Bryce Gemmel, Inc.
Belmont Dairy Lunch, Inc.
Belvedere Theatre Corporation
Belvidere Lunch System Inc.
Benjamin Fox, Incorporated
Bennett Fish Company
Bensabat & Britton, Inc.
Bergson Clothing Company
Berkshire Remnant Company
Bernard's Incorporated
Berstein-Sullivan Shoe Co.
Berwick Hotel Company, The
Besse & Bryant Company Incorporated
Besse-Avery Company Incorporated
Besse-Baker Company
Besse-Boeker Company Incorporated
Besse-Boynton Company Incorporated
Besse-Bryant Company
Besse-Carpenter Company
Besse-Clarke Company Incorporated
Besse-Eldridge Company Inc.
Besse-Leland Company Incorporated
Besse-Mills Company
Besse-Richey Company Incorporated
Besse-Rolfe Company

Besse Russell Company
 Besse-Sprague Company Incorporated
 Besse System Company, Bangor, Maine, Incorporated
 Besse System Company, Kansas City, Kansas, Incorporated
 Bestoil Company of New England
 Beverly Caramel Company
 Bianco Brothers Corporation
 Bigheart Producing and Refining Company
 Bilt-Rite Manufacturing Company
 Black's Fur Shop Inc.
 Blackstone Beef Company, Incorporated, The
 Blackstone Provision Company
 Blanchard Electric Company
 Bleiler Contracting Company
 Bloom Wool Stock Company, Inc. of Boston
 BlueBird Company of New England
 Bolles & Cross Garage Inc.
 Bonny Brook Farm. Company
 Boston and Penobscot Ship-building Company, The
 Boston & Revere Rubber Company, The
 Boston and Virginia Nickel Company, The
 Boston Art Film Studios, Inc.
 Boston Automobile Parking Co. Inc.
 Boston Bargain Store, Inc.
 Boston Bearing Works, Inc.
 Boston Cab Company
 Boston Chain Company, Inc.
 Boston Confectionery Company (1908)
 Boston Doughnut Baking Co.
 Boston Dredging Company
 Boston Export & Import Corporation
 Boston Export Company
 Boston Fabric Shoe Co.
 Boston Fashion Store, Inc., The
 Boston Fur Company
 Boston Garage Company
 Boston Glass Blowing Company
 Boston House Wrecking Company
 Boston Hygienic Institute, Inc.
 Boston Importing Company
 Boston Jobbing House, Inc., The
 Boston Lunch Company Inc., The
 Boston Men's Shop, Inc.
 Boston Model Creamery Company
 Boston, Nahant and Pines Steamboat Company
 Boston Net and Trawl Co.
 Boston Novelty Company
 Boston Omnibus Company
 Boston Packing and Provision Company
 Boston Palm Beach Development Company
 Boston Pennant Company
 Boston Reliable Petticoat Co.

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Boston Sanitary Belt Company
Boston Scaling and Turbine Company
Boston Standard Brick Company
Boston Storage Battery Company
Boston Tool & Mfg. Company, Inc.
Boston Top Coat Manufacturing Company, Incorporated
Boston Toy Company
Boston Trailer Company, Inc.
Boston Union Cigarmakers' Co-operative, Inc.
Boston West Africa Trading Co.
Boston Wood Fibre Products Company
Boulevard Spa Company
Box & Fox, Inc.
Boyce Cigar Company
Boyd Manufacturing Company
Boylston Druggists' Supply Co.
Boylston Realty Corporation
Bradford Riding School, Inc.
Brattle Press, Inc.
Bread Shop Co.
Breck's Real Estate Agency (Inc.)
Brenton Hotel Company
Brett Optical Company
Bridge-Baxter Co.
Bridgewater Transportation Company
Brightwood Brass Foundry, Inc.
Bristol County Creamery, Incorporated, The
Bristol Macaroni Company
Broadbent's Drug Shop, Inc.
Broadhurst Brushes Incorporated
Broadway Revere Garage, Inc.
Broadway Wholesale Millinery Co.
Brockton Cornice and Sheet Metal Company
Brockton Felt Shoe Company
Brockton Iron and Metal Company
Bromdale Knitting Mills
Brooks Motor Car Co., Inc.
Brousseau, Fagan Co.
Brown Bros. Cut Sole Co.
Browne Motors Corporation
Bruce-Morrison Company
Brundage-Bateman Company
Bryant-Besse Company Incorporated
Buchanan Forwarding Company
Buckley-O'Neill Co.
Buckman Leather Company
Builders Materials Corporation
Bunting & Emery Company
Burgess Company
Burke and Dunn Transportation Company
Burnell-Faulkner Company, The
Burns, Gold-Croston, & Carr Company
Bushnell Sales Corporation

Busy Bee Manufacturing Company
 Butt & Ross Company
 Buzzards Bay Electric Company
 Byron-Patch Company
 C. A. Bray Company, The
 C. A. C. Axe Company
 C. & D. Electric Company, Inc.
 C. B. Coates Company
 C. B. Hamblen & Co. Inc.
 C. D. E. Realty Company, Inc.
 C. F. Trask Manufacturing Company
 C. H. Clark and Company, Inc.
 C. H. Hanson & Co., Inc.
 C. J. Kane Grocery & Provision Co., Inc.
 C. J. Mann & Co., Incorporated
 C. J. Tsivoglou, Incorporated
 C. Johnston Company Incorporated
 C. K. Smith and Company, Incorporated
 C. L. Williams Company
 C. M. Little Company
 C. M. Walls Company, Inc.
 C. W. Haselton Company
 C. W. Hoagland Company
 C. W. Skiff Company
 C. Wesley Smith Shoe Company
 Cabot Company, The
 Cacocum Fruit and Products Company
 Cahill Bros. Co.
 Calef Gas Burner Company
 Cambridge Co-operative Society
 Cambridge Emporium, Inc.
 Cambridge Sand and Gravel Company
 Cambridge Sun Publishing Company, The
 Canadian Drug Co.
 Canadian Products Corporation
 Canbec Fire Extinguisher, Incorporated
 Canning Bros. Incorporated
 Capital Securities Corporation
 Capitol Chemical Company
 Capitol Dress Company
 Capitol Interstate Express Company
 Capitol Motors Corporation
 Caravoulas Shoe Manufacturing Company
 Carlyle Chemical Co.
 Carragher Demountable Rim Corp.
 Carrigan and Hill Company
 Carrigan Supply Company
 Casino Company, The
 Castle Clothing Company
 Cellset Brush Company, The
 Cellustro Fibre Silk Company
 Central Tire Company
 Centre Hill Drug Company

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Chain Provision Stores, Inc., The
 Chandler's Corset Store, Inc.
 Chapin & Clark Shoe Co. Inc.
 Chas. A. Lyons Auction and Commission House Inc.
 Charles D. Brown & Co., Incorporated
 Charles H. Hayes Company
 Charles Kroll Co., The
 Charles O'Neil and Company, Incorporated
 Charles River Amusement Company
 Charles River Auto Parts Company
 Charles River Realty Co.
 Charles Wirth & Co., Inc.
 Charlestown Garage, Inc.
 Charlotte Cheese Co. Inc., The
 Charlotte Dress Company, The
 Chelsea Entertainment Corporation
 Chelsea Foundry Company
 Chelsea Grocery and Provision Company
 Chelsea Storage Company, Inc., The
 Chemi-Clenz Mfg. Company, The
 Chemical Reduction Company
 Chicago Beef & Products Co.
 Chicopee Lumber Company, Inc.
 Chinese-American Company
 Chinese Importing Company
 Christmas Trucking Co.
 Church Invisible, Inc., The
 Ciampa Press Co. Inc., The
 Circuit Garage Company Inc.
 Citizens Investment Company
 Citizens Rubber Co.
 Citizens Securities Corporation
 City Ice Co., Inc.
 Clark & Company, Inc.
 Clark & Smith, Inc.
 Clark Independent Oil Company
 Clark Motor-Truck Sales Company
 Clark Wine Company
 Clarke Produce Company, Inc.
 Clark's Boston Food Shop, Inc.
 Clemons-Hayden Garment Co., Inc.
 Clough Lumber Company
 Clover Stores Company
 Coastwise Scaling Company
 Cochituate Oil Proof Co.
 Coconut Plantations Company
 Coe-Stapley Manufacturing Corporation
 Coghlin-Wilson Electric Company
 Cohen Clothing Co., Inc.
 Coin Lock Service Corporation
 Coleman & Hamblett Company
 Coleman-Robert Shoe Co.
 Collinson-Holland Company

Certain
corporations
dissolved.

Colombi Tire Corporation
Colonial File Company of Massachusetts
Colonial Laundry, Inc., The
Colonial Lumber Company
Colonial Mills Company, Inc.
Colonial Motor Line, Inc.
Colonial Phonograph Company
Colonial Trading Company
Colonial Upholstery & Drapery Company
Coloradas Sugar Company
Columbia Garage Incorporated, The
Columbia Grocery Company
Columbia Welting Company
Columbus Interstate Express Company
Columbus Paper Box Company
Comdelcar Company of Massachusetts
Commercial Aircraft Corporation
Commercial Export Corporation
Commercial Machine Company
Commercial Service Co. Inc.
Commercial Wool Company
Commonwealth Building Wrecking Company
Commonwealth Cigar Box Co.
Commonwealth Cinema Corporation
Commonwealth Dress Manufacturing Co.
Commonwealth Glove Company
Commonwealth Lumber Company
Commonwealth Motor-Ship Company
Community Shoe Shop, Inc.
Concrete and Expanded Metal Construction Company
Confectioners Distributing Company
Congdon Shoe Corporation
Conley & McElroy Mfg. Co. Inc.
Conlon & Peterson, Inc.
Connecticut Advertising & Sealing Corporation
Connecticut Public Market, Inc.
Connecticut River Paper Company
Connecticut Valley Bottling Co.
Connell, McKone, Sparks Co.
Connelly's Inc.
Consolidated Manufacturing Company
Consolidated Mills Corporation
Consolidated Paper Bag Company
Consolidated Smelting and Refining Company, Incorporated
Consolidated Theatrical Enterprises, Inc.
Construction and Finance Service Company
Consumers Baking Company
Consumers Clearance House, Incorporated
Consumers Italian Co-Operative Society of Somerville, Inc.
Consumers Leather and Finding Company, The
Continental Baseball Association, Inc.
Continental Dress Co.

Certain
corporations
dissolved.

Continental Fur Trading Corporation
Continental Products Corporation
Continental Securities Corporation
Continental Sugar & Products Co. of Brockton, Mass.
Continental Sugar & Products Co. of Fitchburg, Mass.
Continental Sugar & Products Co. of Manchester, N. H.
Continental Sugar & Products Co. of Northampton, Mass.
Continental Sugar & Products Co. of Springfield, Mass.
Continental Sugar Products Company of New Haven,
Connecticut
Continental Sugar Products Company of Portland, Maine
Conway Company
Cooke-Dodge Company, The
Co-Operative Service Inc.
Copartnership Building Associates, Inc.
Copley Square Music Shop, Inc.
Copymakers Corporation
Corinth Creamery Company
Cortland Tire Company
Cosmic Power Company
Cosmo Radio Corporation
Cotocheset Company
Coughlan and Sheils Company
Court Movies, Inc.
Covich Finklestein Company, Incorporated
Cox Dental Company
Cranberry Harvester Company
Cranford Club, Inc.
Crescent Amusements, Inc.
Crescent Counter Co.
Crescent Leather Company
Crescent Restaurant Company Inc.
Crofoot Gear Works, Incorporated
Crompton Lawrence Manufacturing Co.
Cronkhite, Sands & Co. Inc.
Crotty Kendall Shoe Co.
Crouse Lunch Company
Crucible Furnace Supply Co., Inc.
Crystal Theatre Co.
Cuba Sugar Corporation
Cumberland Rubber Co.
Curtis Service Inc.
Curtiss' Berkshire Estate, Inc.
Cushing Beef Company
Cushman, Brown Cut Sole Co.
D. A. Gordon Company
D. F. Briggs Company, The
D. S. Henry Company
D. W. Ranlet Company, The
Daily News Company
Daly Wagon Manufacturing Company
Daniel L. Kenslea Company
David, Patrick and Company, Inc.

Davis Woodworking Company
 Davison Company
 Daw You Low (Liberty Company)
 Day and Night Motor Transportation Company
 Daymor Lumber Co.
 DeAngelis Company
 De Curtis Permutation Lock Company, The
 De Nevers Typewriter Co., The
 De Stefano Construction Co.
 DeWitt Manufacturing Company
 Deer's Horns Cider Company, Inc.
 Defiance Shoe Company, The
 Delisco Spa, Incorporated
 Denta Derma Co. Inc.
 Desmarais Drug Company
 Dewey & Co. Incorporated
 Dextro-Germ Propagating Company
 Diamond Paint and Varnish Works, Inc.
 Diamond T. Motor Truck Co. of Boston
 Dimm-Semmons Company
 Dionne Trucking Inc.
 Dirigold Sales Co. of New England Inc.
 Discount Company of New England
 Dobbins-Lowell Co.
 Dr. Bennett, Incorporated
 Dr. G. A. Allen Drug Co.
 Dr. J. A. King, Inc.
 Dr. Reid's Saluvia Co.
 Dr. Romanow United Dental Offices, Inc.
 Dr. Willard M. Lindsey Incorporated
 Domestic & Foreign Securities & Trading Corporation
 Domestic Electric Appliance Company
 Domestic Vacuum Cleaner Company
 Dominion Lumber Company of Massachusetts, Inc.
 Dorchester Auto-Parts Corporation
 Dorchester Co-operative Society, The
 Dorchester Parcel Delivery Company
 Dorchester Provision Co. Inc.
 Dorr Company, The
 Dover Hotel Co.
 Dow Manufacturing Company (1920)
 Dowd & Trussell Co.
 Dows Company, The
 Doyle Company, The
 Droogas Jewelry Co., Inc.
 Du Berger Company, The
 Dubuc & Lavallee Inc.
 Dudley Garage Inc.
 Duffy Motor Transportation Co. Inc.
 Dugan's Lunch Inc.
 Dunbar Avenue Garage Company
 Duntlin Mailing Company, The
 Durell, George & Co., Inc.

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Dusten Shoe Company
 Dwight Motors Company, Inc.
 E. A. Bruce Electric Co., (1911)
 E. A. Huntington Co.
 E. A. Ormsby & Sons Inc.
 E. C. Campbell Co.
 E. C. Preble Co.
 E. E. Bussey Incorporated
 E. E. McKeen Co.
 E. H. Jennison and Company, Incorporated
 E. J. Shea Bros. Grocery Co. Inc.
 E. L. Fickett & Co. Inc.
 E. N. Thayer Company
 E-O Clock Company, The
 E. R. Sherburne Company
 E. S. Hemmenway Corporation
 E. T. Shaw Co.
 Eagle Construction and Engineering Company
 Eagle Grocery Stores, Inc.
 Eagle Motorcycle Company (1919)
 Eagle Motorcycle Company (1920)
 Eagle Novelty Company
 Eagle Wood Heel Co.
 East Coast Company of Massachusetts
 Eastern Bottlers' Sugar Company
 Eastern China Company, Inc.
 Eastern Cold Storage Company, The
 Eastern Handle Company
 Eastern Lumber & Supply Company
 Eastern Poultry and Egg Company
 Eastern Produce & Provision Co.
 Eastern Rubber Manufacturing Corp.
 Eastern Rubber Reclaiming Company
 Eastern Securities and Investment Co., Inc.
 Eastern States Willys Light Corporation
 Eastern Utilities Corporation
 Eastern Wool Co.
 Eastgate Flour and Products Company
 Eclipse Doll Mfg. Co.
 Economical Tobacco Co., Inc.
 Economy Clothing Company
 Economy Co-operative Store, Incorporated
 Economy Toggle Company
 Edinberg Metal Company
 Edison Fixture Company of Boston, The
 Edward F. Mills Shoe Company
 Edward S. McCloskey Company
 Edwin J. Forrester Company
 Efdee Insole Company
 Egyptian Spray Manufacturing Company
 Eigen & Cant Company
 Elberfeld Chemical and Manufacturing Company
 Electric Construction Company

Electric Highway Signal Company
 Electrical Refrigeration & Appliance Corporation, The
 Electro Service Press
 Elite Shoe Factories, Inc.
 Ellingwood Tire Company
 Elm Hill Garage Co.
 Elmcroft Farm, Inc.
 Embossograph Products Corporation
 Embroiderers' Supply Co.
 Emery & Co., Inc.
 Emery-Wilkin Company, The
 Employees Publishing Company, Inc., The
 Enterprise Shoe Store Inc.
 Enterprise Trucking Company
 Enterprise Umbrella Manufacturing Co.
 Ernest Bernitz, Inc.
 Ernest J. Porter, Incorporated
 Ernest M. Skinner Company, The
 Essayan Jewelry Co.
 Essex County Medical Institute Company
 Essex Ice Cream Co.
 Essex Last and Remodelling Company
 Essex Roofing Company
 Eugene Grant Company, Inc.
 Eureka Sales Company, Incorporated
 Evans Hotel Company
 Everett Amusement Company
 Everett Factories Corporation
 Everett Olympia Company
 Excelsior Realty Company
 Exchange Security Corporation
 Executive Corporation
 Eye-Glass Shop, Inc., The
 F. A. Davis and Son, Incorporated
 F. A. Howard Laboratories Inc.
 F. & F. Auto Co.
 F. C. Wilson Co.
 F. D. Collins Co.
 F. E. Cullen, Inc.
 F. E. Short and Co., Inc.
 F. F. Woodward Co., The
 F. Kenney Mfg. Co.
 F. L. Wiswall Tire Co.
 F. W. Martin Co.
 F. W. Smith Co.
 Fabric Finance Corporation
 Fair Incorporated, The
 Fairbanks Laidlaw Company
 Fairfield Farms Co.
 Fairhaven Shipbuilding Company
 Falk Confectionery Company
 Fall River Woman's Shop, Inc.
 Falmouth Arms Company

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Falmouth Strawberry Growers' Association, Incorporated,
of Falmouth, Massachusetts
Family Associates Inc., The
Family Investment Corporation, The
Famous Amusement Company
Famous Ice Cream Company
Famous Restaurant Company
Faneuil Laboratories, Inc.
Fannette Custom Waist Shop, Inc.
Farm-Home Stores Company
Farm Tractor & Supply Company of New England
Farrow Shaneck Company
Federal Auto Parts Company, Inc.
Federal Building and Contracting Company Incorporated
Federal Cap Co., The
Federal Oil Products Corporation
Federal Tool Company
Federal Toy Mfg. Co.
Feiners Boys Shops, Inc.
Feinsilver Tarlin Co.
Felt Products Corporation
Fenway Breweries Company
Ferguson Laundry, Incorporated
Ferncroft Club Inc.
Fess Rotary Oil Burner Inc.
Fidelity Bond and Guaranty Company
Fidelity Finance Company
Filmland City Operating Corporation
Finance Publishing Company
First Polish Wholesale Grocery Co.
Fisher Chemical Co.
Fisher-Freedman-Barnett Shoe Company
Fisher Hill Realty and Investment Company
Fisher Perpetual Motion Corporation
Fitchburg Co-operative Society
Fitchburg Dry Goods Company
Fitrite Arch Support Co.
Fitzgerald-Keating Construction Company, The
Flan-Sha Company
Fleishman & Estrella Company
Flex-or-Crete Manufacturing Company
Flynt Building and Construction Company
Follette Isaacson Company, The
Food Products Company
Ford Owners of America, Inc.
Ford's Wawbeek Springs Inc.
Foreign Language Newspaper Advertising Company
Forest Grove Realty Company, The
Forest Park Garage Company, The
Forest River Pharmacy, Inc.
Forman-Edgers Skirt Company
Forty State Street Corporation
Forwarding Corporation, The

Certain
corporations
dissolved.

Foster-Avery Company Incorporated
 Foster-Besse Company Incorporated
 Framingham Forge Company
 Framingham Motor Garage, Inc.
 Framingham Motor Supply and Tire Exchange, Inc.
 Frank G. Rowley & Company, Inc.
 Frank I. Klayman Company, Incorporated, The
 Frank Jones Brewing Company
 Frank L. Gould & Sons, Inc.
 Frank W. Lawrence Company
 Frank X. Johnston Company
 Franklin Macaroni Manufacturing Co.
 Franklin Mills Corporation
 Franklin Roof Coating Company, Inc., The
 Franklin Square Electric Co., The
 Franklin Square Garage, Inc.
 Franklin Trading Company
 Frascati Restaurant, Inc., The
 Fred A. Mann Company
 Fred G. Hakim & Company, Inc.
 Fred H. Roberts Company
 Fred S. Smith Company
 Frederick & Company, Inc.
 Frederick J. Caldwell Inc.
 Freed Co., The
 French-American Business Institute Inc.
 French Coal Company
 Frendon Manufacturing Company, Inc.
 Friendship Shop, Inc.
 Frost Machine Company
 Fuller-Lovewell Co., Inc.
 Fulton Tire & Rubber Co.
 Fulton Tire Corporation
 G. A. C. Knight Co.
 G. A. Harb, Inc.
 G. & G. Shoe Company, Inc.
 G. Clifford Baker and Company Incorporated
 G. W. and F. Smith Iron Company
 G. W. Reid Co.
 Gahan Baking Company
 Gainaday Company of Western Massachusetts
 Gainaday Electric Company
 Galligan Drug Co. Inc.
 Ganguet, Inc.
 Gdansk Corporation
 Gendreau Furniture Company
 General Fastener Company, Inc.
 General Fire Extinguisher Company of Massachusetts
 General Steel & Rubber Stamp Company
 General Traders, Inc.
 Geo. A. Kinley Leather Company
 George A. Martin, Inc.
 George B. Graff Company

Certain
corporations
dissolved.

George E. Larrabee Corporation, The
George Grow Tire Company of Atlanta
Geo. J. Kelly Co.
Geo. M. Byard Company
George T. Tucker & Co., Inc.
George Whiteacre Company, Inc.
Georgetown Standard Shoe Co. Inc.
Gibbons Body Company, The
Gilbert and Vaughn, Inc.
Gill & Hall Company
Gilman Square Pharmacy, Incorporated, The
Gimbel Brothers Company
Glaser & Bakeman, Inc.
Glassman Express Co.
Glenview Farm, Inc.
Glideoplane Mfg. Co.
Globe Amusement Company
Globe Counter Company
Globe Electric Company
Globe Vaudeville Company, The
Gloucester Block Company
Glove Instep Shoe Company
Godfrey's Garage, Inc.
Goldberg Pharmacy, Inc.
Golden Crown Preserving Company
Golden Lathe Repairing and Manufacturing Company
Golden Rule Markets, Inc.
Goldman and Danberg, Incorporated
Goldman and Richmond, Inc.
Goldstein & Cohn Co.
Goldstein-Jacobs Co.
Gooch, Otis Company, Incorporated
Goodell's Garage, Inc.
Goodman Drug Company Inc.
Goodwear Apparel, Inc.
Gordon Fur Mfg. Co.
Gordon Tire Company
Gormley Tanning Co., The
Graff Bros. Co.
Granite City Pressed Brick & Stone Company
Granite State Shoe Company
Great Barrington Coal Company
Greater Boston Tire Co.
Greek American Exchange Corporation
Greenlay Manufacturing Company
Greyhound Transportation Co., Inc., The
Griffiths Food Shops Corp'n
Grocers Cash Wholesale Company
Grocery & Drug Sundries Inc.
Gruebite Co.
Gumbleton Sanitary Laundry Co., Inc.
Gurvitz Bros. Inc.
Guy D. Tobey, Inc.

H. & J. Brewer Co. (1906)
 H. C. Messervy Corporation
 H. C. Shaw Company
 H. E. Cunningham Motor Trucking Company
 H. Gussman Company
 H. Laurin, D. D. S., Inc.
 H. Nash Wagon Company
 H. P. Wanner & Co. Inc.
 Haggerty-Ferguson Co., Inc.
 Hall Motor Truck Co. of New England
 Hallet & Robinson Beef Co., Inc.
 Hambro Slipper Company, The
 Hamilton Land Company
 Hamilton Mineral Springs, Inc.
 Hanley-Morgan, Inc.
 Hanover Film Company
 Hanscom, Upton & Hubbard, Inc.
 Harmony Shoppe, Inc., The
 Harold Realty Company
 Harrington Bros. Company, Inc.
 Harrington Tire Corporation
 Harriott Company
 Harrison-Campbell Company
 Harry Maselter Co.
 Harry W. Reeves & Co. Inc.
 Hart Heating Company, The
 Harvard Building Wrecking Company
 Harvard Glove Company
 Harvey & Parker, Inc.
 Harvard Mfg. Co.
 Harwich Bog Company
 Hatch Gown & Waist Company
 Hatfield Citizens Association, Incorporated
 Haverhill Die Company
 Haverhill Investment Company
 Haviland-Day, Incorporated
 Havre Beverage Co.
 Hawes Company, Inc.
 Hawkins-Merrill Incorporated
 Hawthorne Blanket & Woolen Mills
 Hayes Shoe Corporation
 Haymarket Provision Company
 Hellenic Cut Sole Leather Co.
 Henry G. Bissell & Co., Inc.
 Henry Wood's Sons Company (1884)
 Henry's Bakery, Inc.
 Herbert R. Lane & Co., Incorporated
 Hews China Company, Inc.
 Higgins Trucking Company
 High Grade Shoe Manufacturing Company
 Highgrade Delicatessen and Dining Room Inc.
 Highland Co-operative Fruit Exchange, The
 Highland Machine Company

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Hill Crest Fruit Company
Hillside Motion Picture Co. Inc.
Hinsdale Drug Company
Hodgson, Slocum & Co. Inc.
Holden & Crout, Incorporated
Holdsworth & Farrington Inc.
Holl, Duncan & Vail, Inc.
Hollidge, Badger Corporation
Holt & Beebee Co.
Holt & Beebee Mfg. Co.
Holyoke Real Estate Trust, Inc.
Holyoke Specialty Manufacturing Company
Home Utilities Sales Corporation
Hoosac Lumber Company
Hope Burlap Company
Hopkinton Products Co.
Horton & Hersom Co.
Hotel Bridgway Company (1919)
Hotel Empire, Incorporated
Howe Confectionery Corporation
Hoxie Chemical Company
Hub Baths, Inc., The
Hub Wholesale Millinery Co.
Hubert J. McLaughlin Company
Hubley Box Manufacturing Company
Hudford Truck Company
Hunt & Nichols, Inc.
Hunter Stationery Company
Huntington Art Press, Inc.
Hygeia Beverage Co., The
Hylo Aeronautical Corp'n
Hynes Construction Company
I. J. Melanson Shoe Co., Incorporated
Ideal Electric Lamp Manufacturing Co.
Ideal Leather Company, The
Ideal Macaroni Company
Ideal Regulator & Coal Saver Co. of New England
Imperial Company
Improved Cutter-Bar Company
Independent Cloak Manufacturers Association Inc.
Independent Ice Company of Salem
Independent Reed Products Co.
Independent Shoe Co.
Independent Sugar Company
Indessi Milk Corporation, The
India Company
India Export Company
India Sales Company
Industrial Steamship Ticket and Exchange Agency, Incorporated
Industrial Trading and Finance Corporation
Industrial Underwriters Inc., The
Instant Products Corporation

International Cornet School, Incorporated
 International Importing & Drug Co.
 International Reduction Company of New England, The
 International Sales Company
 International Traders' Association, The
 Interstate Sheep Farms Company
 Interstate Trading Corporation
 Isaac Riley Company
 Italian American Groceries Co-operative Association
 Ivar-Lite Inc.
 Ivory System Incorporated
 J. B. Gaudreau, Incorporated
 J. C. Yeaton Company
 J. E. DesLauriers Company
 J. E. Gordon Co. Inc.
 J. E. Newton Company
 J. Feldman Co.
 J. H. Gerlach Company, The
 J. H. Trott Company
 J. J. Bagley Transportation Company
 J. J. Hayes Co.
 J. N. Lapointe Company of Massachusetts, The
 J. Nardi Company
 J. R. Downing Company
 J. S. Holt and Company, Inc.
 J. S. Luther and Company, Incorporated
 J. S. Orler & Company Incorporated
 J. S. Twombly Co.
 J. W. King Co., Inc.
 J. W. Sargent and Son Company
 Jamaica Hardware Company
 Jamaica Plain Garage Co.
 James J. Hill Co.
 James M. White Bottle Company
 James N. Klappas & Company, Inc.
 Jay Bee Amusement Co., The
 Jean B. Le Meitour Compagnie
 Jewel Theatre Company
 Jewish People's Co-operative Bakery of Springfield, Mass.
 inc.
 Joe Beef Corporation, The
 Joel M. Stearns Company
 John B. Gallagher Company
 John B. Maynard, Inc.
 John Conrad Company, Inc.
 John H. Cross Inc.
 John Kelly Company
 John MacDonald Construction Co.
 John W. Maenpaa Color Co.
 Johnson and Watson Co., Inc., The
 Johnson Brothers Incorporated
 Johnson Motor Company
 Johnson-Wright Shoe Co.

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Johnsonia Inc., The
 Johnson's Boot Shop Inc.
 Joseph C. Dolan Company, Inc.
 Joseph T. Galligan Co.
 Juvenile Outfitting Company, The
 K. & M. Mfg. Co.
 Kaelany Products Company
 Kampi-Kosy, Inc.
 Karl F. Hopkins, Inc.
 Karpas, Schwartz & Phelps Co.
 Keans Transportation Company
 Keene Tanning Company (1918)
 Kelley & Trefry Body Co.
 Kelly & Co., Inc.
 Kelly-Buckley Company
 Keno Supply Company
 Keoka Camp Company
 Kilburn Company, The
 Kimball Company
 King Steelcoating Company
 Kirkland Bros. Machine Company
 Kleno Manufacturing Company
 Knelline Specialty Company
 Knickerbocker Self Service Inc.
 "Kork-Tred", Incorporated
 Krisgold Leather Company
 L. A. Provandie Co.
 L & B Paper Box Company
 L & R Specialty Company
 L. B. Holliday & Co., Inc.
 L. E. A. Smith Company
 L. E. Chandler Company Inc.
 L. E. Fosgate & Co. Inc.
 L. Miller Co. Inc.
 L. Speidel & Co., Inc.
 L. W. Cole Motor Car Co., The
 Lady Mary Dress Company
 Laganas Shoe Co., Inc.
 Lambert Radio Company
 Lane, Trotman and Henzler, Incorporated
 Lannin Realty Company
 Lass-Spector & Lack Co. Inc.
 Lawler Printing Company, The
 Lawrence Color and Chemical Works
 Lawrence Machine-Gun Mount Company
 Lawrence Two in One Tire Company, Inc., The
 Le Pelletier, Inc.
 Leader Skirt & Dress Company, The
 Leading Three Dress Company, Inc., The
 Lecuyer Realty Company, Inc.
 Leon J. Kreft, Incorporated
 Leon Miller Company
 Leonard, Chandler & Dopp, Incorporated

Lerner Blouses, Inc.
 Leslie S. Gould Drugs Company, Inc.
 Levenson Shoe Store, Inc.
 Liberty Biscuit Co.
 Liberty Clothing Co.
 Liberty Club, Inc., The
 Liberty-Durgin, Inc.
 Liberty Ice Cream Co., Inc.
 Liberty Lunch Company
 Liguria Importing Company
 Linden Dye Works, Inc.
 Linke, Bryne & Lundskog Electric Company, Inc.
 Lithuanian Exchange, Inc.
 Little Giant Toy Company
 Lloyd Engineering Corporation
 Locomotive Paint Co., The
 Loevy Company, Inc., The
 Logan Johnson, Ltd.
 Louis C. Dexter, Inc.
 Louisville Food Products Company
 Lowell Taxi Service, Inc.
 Lowell Witherby Company
 Lowrance Company of Rhode Island, The
 Loyal American Boys' Camp, Inc.
 Lualdi-Drew Inc.
 Ludlow Sand & Gravel Company, The
 Ludwig Machine Company, Inc.
 Luncheon Food Products, Inc.
 Lustrol Paint Specialties Company
 Lutes and Draper Machine Company
 Luxus Auto Company
 Lynn Bus Company
 Lynn General Electric Employees' Co-operative and Col-
 lective Buying Association
 Lynn Radio Manufacturing Co., Inc.
 Lynnway Aircraft Corporation
 Lyons Coal Company
 M. A. Houser Co., Inc.
 M and S Manufacturing Company
 M & W Motor Transport Company
 M. B. Marston Company
 M. C. Cornez Leather Co. Inc.
 M. J. Taylor & Co., Inc. — 1920
 M. P. Perley Company, The
 M. Rosenfeld Inc.
 M. Wolf & Co. Inc.
 Macleod, Mitchell and Trask, Inc.
 Made-Rite Dress Co.
 Madelon Products Co. Inc.
 Madison Ice Cream Co., The
 Magaziner's Model Bakery Inc.
 Magnetic Motor Car Corporation of Worcester County,
 Massachusetts

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Mahoney Cigar Company, The
Mammoth Spun Silk Corporation
Mann-Mullen Leather Company
Manufacturers Brokerage Co. Inc.
Marcus Producing Company, Incorporated
Markantes Company
Marshpee Manufacturing Company
Martin J. Shufro Company, Inc.
Martin Printing & Publishing Corporation
Mason Drug Company
Massachusetts Advertising & Sealing Corporation
Massachusetts Auto Finance Co.
Massachusetts Bagging & Burlap Company, Inc.
Massachusetts College of Physical Therapy Inc., The
Mass. Concrete Construction Co.
Massachusetts Funding Corporation, The
Massachusetts Health Book Publishing Company
Massachusetts Loan Company
Massachusetts Manufacturing Company of Boston
Massachusetts Medical Service Association, Inc.
Massachusetts Medicinal Water Company, The
Massachusetts Motion Picture Theatre Company
Massachusetts Motors, Inc.
Massachusetts Optical Company, Inc.
Massachusetts Paint and Oil Company, The
Massachusetts Photo Play Company
Massachusetts Plastering Co. Inc.
Mass. Pressed Steel Co.
Massachusetts Supply Company
Massachusetts Wholesale Supply Co.
Massachusetts Woolen Company
Masterphone Company, The
Masterphone Sales Company
Mathews & Blanchard Company
Mattapan Kosher Butchers, Inc.
Max D. Rubin Company
Max Miller Co.
Maxwell Manufacturing Company, The
Mayers Costume Co., Inc.
Mayflower Inn Incorporated
Mayflower Lunch, Inc.
Maynard Baking Company
McClaren Tire Company, The
McGuire and McGourty, Inc.
McLean Brothers Garage Co.
Meadowbrook Marble Company
Mechanic Motor Supply Company
Medfield Farms & Greenhouse Company
Medford Construction Company, Inc.
Medford Square Realty Co.
Merchants Discount Association Inc.
Merchants' Interstate Express Company
Merchants Motors, Inc.

Certain
corporations
dissolved.

Merchants Syndicate Company
 Metal Products Company of New England, The
 Metal Products Co. of Newburyport, The
 Metal Sales Co. Inc.
 Metcalf Hospital
 Metro Pictures Corporation of New England
 Metropolitan Mattress Company Inc.
 Middlesex Raincoat Company
 Midgley & Prentice Inc.
 Midland Wool Co., of Mass.
 Mill-Brook Farm, Inc.
 Millen Candy Co.
 Miller Made Dress Co.
 Miller-Tsivoglu Company, The
 Miller-Yanofsky Company, The
 Milton Auto Service, Inc.
 Miss A. Greene, Inc.
 Mitchell Designing School, Inc.
 Mitchell-Springfield Company
 Model Delicatessen and Lunch, Inc., The
 Model Parlor Frame Company, Inc., The
 Mohawk Trail Hotel Corporation
 Monarch Can Company
 Monarch Can Manufacturing Company
 Moon Manufacturing Co. Inc.
 Moore Paper Box Company
 Mosstwin Company
 Motors Finance Company
 Mullarkey Drug Company, The
 Municipal Exposition Co., (Inc.)
 Murco Shops, Inc.
 Murray-Miller Co.
 Mutual Lamp Company
 Mutual Medical Service Association, The
 Myer Weinberg Company
 Mystery Island Company
 N. L. Stebbins, Incorporated
 Nadeau Extender Company
 Naillik Motor Signal Company
 Nankin Garden Inc.
 Napoli Cafeteria, Inc.
 Narragansett Fur Company
 Nathan Kramer's Sons Company, Incorporated
 Natick Manufacturing Company Inc.
 Natick Underwear Company
 National Aero Corporation
 National Community League Inc.
 National Garage Company
 National Grocers Profit-Sharing Co.
 National Health Book Sales Company
 National Manufacturing Company
 National Metal Products Company
 National Oil Company

Certain
corporations
dissolved.

National Packing Company
National Profit-Sharing Markets, Inc.
National Refrigerator Company
National Rubber Heel Company
National Safety Lift Co., Inc.
National Scale Company
National School Sales Corporation
National Sewage and Garbage Corporation
National Steel and Iron Works Co.
National Underwriters, Inc.
National Vaudeville Circuit, Inc. of N. E.
Needham Tire Company
New Athens Press, Inc., The
New Bedford District Co-operative Society
New Bedford Extractor Company
New Bedford Football Association, Incorporated, The
New Bedford Manufacturing Company, The
New England Abrasives Company
New England Airplane Company
New England Art Institute, Inc.
New England Auto Body Co.
New England Auto Top Corporation
New England Automobile Racing Association Inc.
New England Barrel Company
New England Building Material Bureau, Inc.
New England Castings Company, The
New England Cloak and Suit Company
New England Coal and Wood Company, The
New England Electric Lamp Company
New England Macaroni Manufacturing Company
New England Mercantile Company
New England Modern Laundry Company
New England Motor Freight Company, The
New England Music Co.
New England Production Co.
New England School of Art, Inc.
New England Spark Intensifier Company
New England Surgical Supply Company
New York Branch Dry Goods Store, Incorporated
New York Institute of Business Administration, Inc.
Newcomb's Express Company, Inc.
Newman & Co., Inc.
Newport Electric Company
Newport Fisheries, Ice & Cold Storage Company
Newton Combing Company
Newton Motor Co.
Newton Pressed Steel Co.
Nickerson-Schenck Paper Company, Inc.
Noiseless Typewriter Agency, Inc.
Norfolk Community Garage Inc.
Norris Insurance Agency, Inc.
North Reading Amusement Company
North Reading Community Transit Co.

North Shore Houdaille Co., Inc.
 North Shore Motor Truck Corporation
 Northampton Market Inc.
 Northern Leather Co. of Brockton
 Northwestern Oil Co. of Massachusetts
 Norton Silver Company
 Novelty Cleansing and Dyeing Company
 Novelty Shop Incorporated, The
 Nudoll Manufacturing Company
 Nupro Incorporated
 O. K. Fibre Co.
 O. S. Lynde Beef Company
 Oakbireh Inn Inc.
 Observer Publishing Co., The
 Ocean Terminal Railroad Company
 Ocean Terminal Railroad Dock and Elevator Company
 Odd Fellows Hall Association of South Weymouth
 Old Colony Contracting Company
 Old Colony Ice Cream Company
 Old Medford Laundry Company
 Ogna-Salutaris Company
 Onota Knitting Mills, Inc.
 Osgood Chemical Company (1915)
 Ovingtons Inc.
 P. C. Headley, Jr. Inc.
 P. M. Leavitt Co. of Lawrence, Mass.
 P. M. Leavitt Co. of Marlboro, Mass.
 P. M. Leavitt Co. of Norwood, Mass.
 P. M. Leavitt Co. of Quincy, Mass.
 P. N. Cote Company
 Pace Agency for Placements, Inc.
 Park Drug Company
 Parker Investment Co.
 Parker Rubber Mfg. Co.
 Parkhurst & Green, Inc.
 Parkway Shoe Company
 Parsons-Reynolds Company
 Patto Corporation, The
 Paul Revere Garage, Inc.
 Peabody Housing Corporation
 Pearse Sales Corporation
 Peerless Dress Company
 Peerless Last Remodeling Co.
 Peerless Manufacturing Company
 Peerless Sealing Machine Company
 Pemberton Hotel Company
 Pemberton Operating Company
 Penn Investment Corporation
 Peoples Coal & Mason Supply Co.
 People's Co-operative Bakery Association
 Peoples Exchange, Inc.
 Peoples Market, Inc., The
 Peoples' Mutual Supply Company, Inc.

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Peoples Public Market of Brighton, Inc.
Perfection Toy Craft Company
Period Furniture Mfg. Company
Perry Theatres Inc.
Phelps Theatre Company
Phonograph Outlet Company Incorporated, The
Pico Cranberry Company
Pike Woolen Mills
Pine Grove Ice Company
Pine Island Development Company
Pinewood Rest, Incorporated
Pioneer Press, Inc.
Pittsfield Tire & Rubber Co.
Plymouth County Auto Supply Company
Plymouth Rubber Company
Polish Co-operative Association of Brockton, Mass.
Polish National Co-operative Association
Polish-National Co-operative Store Association, The
Pond Specialty Company
Pond Syndicate, Incorporated, The
Portland Sales Co.
Potter Manufacturing Company
Potts Run Coal Sales Corporation of Massachusetts
Prince's Garage, Inc.
Progress Clothing Manufacturing Company, Inc.
Progress Confectionery Co., The
Protective Loan Company, The
Public Service Builders, Inc.
Puritan Antique Shop, Inc.
Puritan Color Company
Putnam & Son Company
Quality Paper Company of Lynn, Mass.
Quen Hing Yuen Incorporated
Quincy Quarry Owners Producing Company
Quincy Theatres, Inc.
R & G System of Bakeries, Inc.
R. J. Estabrook Company
R. W. Bliss, Inc.
Ralph S. Boyd Company
Rancourt Construction Company, Inc.
Rand Adjustable Index Company
Ray Clothing Company Inc.
Realty Sales Company
Reidpaths, Inc.
Reliable Auto Co.
Reliable Lunch, Inc.
Reliable Quick Service Shoe Co.
Renim Specialty Company
Reno Trunk and Leather Goods Company
Reservo Company, The
Resilia Company, The
Resnick Garment Company, The
Rhode Island Advertising & Sealing Corporation

Riggelman Refrigerator Truck Co., Inc.
 Rigley Drug Company
 Rincon Development Company, The
 Riverside Garage, Inc.
 Roberts Garage, Inc.
 Robinson Bros. Company
 Rochester Manufacturing Company
 Rochon Manufacturing Company, Inc.
 Rockwell-Farnum Glass Company
 Rodik Company
 Rodman Stores Company, Inc.
 Roslindale Athletic Association Inc.
 Ross Chase Co.
 Rossetti Contracting Company, Inc.
 Rowe Manufacturing Company Incorporated
 Royal Coat Co.
 Royal Novelty Company, The
 Royal Talking Machine Co. Inc.
 Royal Tire Company
 Russell & Gray, Inc.
 Russell-Wood, Inc.
 Russian-American Export & Import Corporation
 Ryco Syrup Company
 S. Blaisdell Jr. Company, The
 S. H. Huggon Company, The
 S. I. Parker Shoe Co., The
 S. Krock & Co. Inc.
 S. L. Gabriel Company
 S. M. Stevens Company
 S. Mayer Drug Company
 Sabbag's Rotary Rubber Heel Company
 Sagamore Corporation, The
 Sager-Packard Hardware Co.
 Sailors Uniform Company, The
 Samuel M. Green Company
 Samuel Orkin Company
 Samuel Orkin-Nudoll Manufacturing Company
 Samuels Incorporated
 Sandfelder Corporation, The
 Sandgren & Hessler, Incorporated
 Sadow Motor Truck Company of New England
 Santo Domingo Company
 Saugus Community Bus Assn. Inc.
 Savin Hill Amusement Co.
 Savoy Chemical Company
 Sawyer Construction Company
 Sawyer Shoe Company
 Schenck Paper Company, Inc.
 Schmidt Corporation, The
 Scituate Beach Association (Incorporated)
 Seamans Oil and Gas Company of Kansas
 Security Service Corporation
 Shannon Manufacturing Company

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Shaw Propeller Company
 Shawmut Confectionery Co.
 Shawmut Marine Company
 Sheahan Company — — Painters
 Shearman-Lasker Heating & Manufacturing Company
 Sherman and Freedman Company Inc.
 Shoe Trade Supply Co., Inc.
 Siberian Agricultural Union Incorporated
 Silver-Daum Baking Company, Inc.
 Simmor Co.
 Sims-Shaw Oil & Gas Company
 Sloane Co., The
 Smith & Butler Inc.
 Smith Shoe Company
 Smith Steel Products Co.
 Smith's Stage Street Garage, Inc.
 Solidarity Publishing Company, The
 Somerville Hay and Grain Co. Inc.
 Sons of Acreidi Corporation, The
 South Boston Warehouse Co.
 South Boston Wood and Coal Company
 South Broadway Sales Corporation
 South End Cash Market, Inc.
 South End Garage, Inc.
 South End Pharmacy, Worcester, Mass., The
 South Fork Coal Sales Co.
 South Weymouth Ice Company
 Southern New England Country Fair, Incorporated
 Spray Primer Company, The
 Springfield Brokerage Company
 Springfield Dry Goods Store Inc.
 Springfield Invalid Lifter Company
 Springfield Nokol Oil Burning Co., Inc.
 Springfield Produce Brokerage Company, The
 Springfield Sash & Door Corporation, The
 Springfield Tire & Rubber Co.
 Stafolife Bakeries, Inc.
 Standard Attractions, Inc.
 Standard Auto Horn Company
 Standard Baking Company Inc.
 Standard Carton Company of Brockton, Inc.
 Standard Fibre Company
 Standard Pants Mfg. Co.
 Standard Paper & Merchandise Co.
 Standard Plunger Elevator Company
 Standard Provision Company
 Standard Real Estate Company
 Standard Rim Co.
 Stanhope Light & Heating Company
 Star Honey Tonic Company
 Star Shoe Manufacturing Company
 Starin Mfg. Co.
 Starr Bog Company

State Theatre Realty Company, The
 Stedman Products Company, The (1920)
 Sterilac Company
 Sterling Land Improvement Company
 Sterling Leather Co. Inc.
 Sterling Motor Car Company
 Sterling Quality Stores, Inc.
 Sterling Shoe & Leather Company
 Sterling Tobacco Company
 Stiller Cloak Company
 Stillman Bottling Company
 Stone & Webster Realty Corporation
 Stone Building Company
 Stores Display Company
 Stoughton Hardware Co.
 Suburban Motor Car Co.
 Suffolk Biscuit Company
 Sugar Bowl Inc., The
 Sullivan & Crimmings Co.
 Sulphur Vapor Baths of New England, Inc.
 Summer Rubber Company
 Sumner Fruit Co.
 Sunnyside Land Company
 Sunshine Polish Company
 SuperSkirt Company, The
 Superior Ice Cream Co.
 Swan Holt Company, The
 Sylvan Company, Inc.
 Syndicate Underwriting Corporation
 Synthetic Products Co.
 Syro Company
 T. Casey Company
 T. Martin and Brother Manufacturing Company
 Talking Machine Sales Corporation, The
 Talking Machine Supply House Incorporated
 Tarklin Manufacturing Company, The
 Taylor-Evans Co., Inc.
 Teter and Company, Inc.
 Textile Felt and Fabric Co.
 Textile Medical Association, Inc.
 Thermolac Manufacturing Company
 Thomas, Cunniff & Young, Inc.
 Thomas E. Sears, Inc., (1919)
 Thos. F. Colbert Co.
 Tighe Coal Co.
 Tilton Mills
 Tip Top Dress Co. of New England Inc.
 Tirrell Pharmaceutical Company
 Tobey Lime Company (1911)
 Toole-Camp & Co. Inc.
 Torino Corporation
 Torrey-Epstein Company
 Tough Rubber Company

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Traders Incorporated
Tread-Well Shoe Company
Trego Automotive Corporation
Tremont Cranberry Company
Tremont Shoe Company, The
Triangle Cloak & Suit Company
Triangle Leather Company
Triangle Motors Company
Trico Company
Trico Trucking Co.
Trimount Real Estate and Loan Co. Inc.
Trojan Laundry, Inc.
Truck Service Corporation
Tunnel City Warehouse Company
Tuxedo Co. Inc.
Twin Peak Mining, Milling and Leasing Company, Inc.,
The
Tyler Corporation, The
Tyler Manufacturing Company
Typewriter Ribbon Renewer Manufacturing Company
U. S. Embroidery Works
U. S. Specialty Company
U. S. Standard Product Co. Inc., The
U. S. Toy & Novelties Mfg. Co., The
Uncle Sam Associates, Incorporated
Union City Company, Inc., The
Union Co-operative Store Co.
Union Garment & Towel Supply Company
Union Lobster Company
Union Plate & Wire Co.
Union Shoe Worker Press
Union Theatre Company
United Dress Goods, Inc.
United Furniture Company, Inc.
United Groceries Incorporated
United Machine Equipment, Inc.
United Road Service, Inc.
United Shirt & Collar Co.
United Spring Company
United States Manufacturing Company
United States Sweets Company Incorporated
United States Vaporizer Co.
United States Worsted Company
United Taxi and Sales Company
United Trading Company of America
Universal Metal Products Co.
Universal Sickle Bar Company
Universal Specialty Company
Universal Tire Filler Company
Universal Tractor Company, Inc.
Upton Farmers Coöperative Exchange
Van Costume Company
Van Meter's Bostonian Shoe Co.

Certain
corporations
dissolved.

Victor Manufacturing Company
Victor Service Sales Co., The
Victory Leather Manufacturing Co.
Victory Lunch Corporation
Victory Webbing Company
Vining Rubber Spring Cushion Company
Vocalion Company of Boston, Inc., The
Vocational Sales Company
Vogue Sample Shop Inc., The
W. A. Clark Incorporated
W. A. Harnden Co.
W. E. Garland Company, The
W. M. Caldwell Company
W. T. Walker and Company Inc.
Wakefield Tire Company
Walcott Trucking and Transportation Company
Walden Improved Wrench Company
Walker Adams Company
Walker Ice Company
Walker-Travers Corporation
Walpole Real Estate Association, Inc.
Waltham Garage Company
Waltham Lathe & Mfg. Co.
Waltham Watch Chain Company
Waltham Watch Company
Walton & Stevens, Inc.
War Service Record Bureau, Inc., The
Warren Avenue Garage Company
Warren Street Sales Room, Incorporated
Warsaw Clothing & Boot Company, The
Washington Fruit Company
Washington Market, Inc.
Watuppa Manufacturing Company
Wave Electric Company
Webber Carburetor Co.
Webber Mfg. Co.
Welch's Medford Express Company
Weld Farm Company
Well Worth Department Store, Inc.
Wellesley Knitting Mills, The
Welling Manufacturing Co., Inc.
Welsh & Greeley Co.
West Point Tea & Coffee Co.
Western Securities Company
Westfield Food Products Company, The
Westminster Textile Company
Wetherbee Brothers Company
Whaling City Hotel Co., The
White Cross Chemical Company
Whittier Realty Co.
Wids Company, The
William C. Bragg and Company, Inc.
William H. Greenleaf Company

Certain
corporations
dissolved.

William Hurwitz Co. Inc.
William J. Rounds & Son, Inc.
William Read & Sons, Inc.
William T. English Company
William Woelfel Safety Appliance Company
Willmansett Special Wet Wash Company, The
Wills Sainte Claire Co. of Merrimac Valley
Winchester Theatre, Inc.
Window Attractions Service Incorporated
Winnisimmet Woolen & Iron Company
Winsim's, Inc.
Winthrop Public Market, Inc.
Winthrop Yacht and Supply Company
Wirth, Myers Company
Wolent Shoe Lining Co., Inc.
Wolk & Rosenstein, Inc.
Wolman Realty Corporation, The
Woods' Methods Corporation, The
Worcester Bag and Burlap Company
Worcester Brick Company
Worcester Inventors Association, Inc., The
Workers Cooperative Union of South Braintree, Inc.
Workingmen's Publishing Company
Worth Accessories Co., Inc.
Y. & M. Grocery & Provision Company
Zang and Company Inc.
Zenas R. Taylor, Inc.
Zonis Bros., Inc.

CHARITABLE AND OTHER CORPORATIONS.

Certain chari-
table and other
corporations
dissolved.

Animal Rescue League of Hampden County
Chandler Service Homestead Incorporated
Corner Stone Welfare Council Incorporated
Dr. Alcazar's Eye, Ear, Nose and Throat Hospital for
Egypt and Palestine
Door of Hope in Fall River, Inc.
Longmeadow Country Club (1921)
Mashpee Rod and Gun Club
Pemberton Social Club
Reading Odd Fellows Bldg. Association
Riverside House Association
Society for Helping Destitute Mothers and Infants
Waltham War Chest Association
Women's Industrial Association of Roxbury, The

Pending suits
not affected,
etc.

SECTION 2. Nothing in this act shall be construed to affect any suit now pending by or against any corporation mentioned herein, or any suit now pending or hereafter brought for any liability now existing against the stockholders or officers of any such corporation, or to revive any charter previously annulled or any corporation previously dissolved, or to make valid any defective organization of any of the supposed corporations mentioned herein.

SECTION 3. Suits upon choses in actions arising out of contracts sold or assigned by any corporation dissolved by this act may be brought or prosecuted in the name of the purchaser or assignee. The fact of sale or assignment and of purchase by the plaintiff shall be set forth in the writ or other process; and the defendant may avail himself of any matter of defence of which he might have availed himself in a suit upon the claim by the corporation, had it not been dissolved by this act.

Proceedings in suits upon choses in action, how brought, etc.

SECTION 4. Nothing in this act shall be construed to relieve the last person who was the treasurer or assistant treasurer, or, in their absence or incapacity, who was any other principal officer, of each of the corporations named in this act, from the obligation to make a tax return as of April first following the date of dissolution and swear to the same as required by section thirty-five of chapter sixty-three of the General Laws. The tax liability of each of the corporations named in this act shall be determined in accordance with the existing laws of this commonwealth.

No relief from obligation to file tax return, etc.

SECTION 5. This act shall take effect as of March thirty-first in the current year.

When act takes effect.

Approved April 4, 1923.

AN ACT RELATIVE TO THE APPOINTMENT AND TERM OF OFFICE OF ELECTION OFFICERS.

Chap. 204

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter fifty-four of the General Laws is hereby amended by striking out, in the eighth line, the words "in August" and inserting in place thereof the words: — between August first and fifteenth, — by striking out, in the tenth line, the words "the second Monday in" and by inserting after the word "September" in the same line the word: — first, — so as to read as follows: — *Section 11.* The mayor of every city, except where city charters provide otherwise, shall annually appoint as election officers for each voting precinct, one warden, one deputy warden, one clerk, one deputy clerk, four inspectors and four deputy inspectors, who shall, at the time of their appointment, be qualified voters in the ward of which such precinct forms a part. He may, in like manner, appoint two inspectors and two deputy inspectors in addition. Every such appointment shall be filed in the office of the city clerk of such city between August first and fifteenth, and shall be acted on by the aldermen not less than three days after the filing of such appointment and on or before September first following. Such appointment shall be open to public inspection. In cities where the aldermen accept this section or have accepted corresponding provisions of earlier laws, no deputy warden, deputy clerk or deputy inspectors shall be appointed.

G. L. 54, § 11, amended.

Election officers in certain cities, appointment, etc.

SECTION 2. Section thirteen of said chapter fifty-four is hereby amended by striking out, in the ninth line, the word "fifteenth" and inserting in place thereof the word: — first, — so as to read as follows: — *Section 13.* Such election officers shall be so appointed as equally to represent the two leading political parties, except that, without disturbing the equal repre-

G. L. 54, § 13, amended.

Election officers, party representation, term of office, removal, etc.

sentation of such parties, not more than two of such election officers not representing either of them may be appointed. The warden shall be of a different political party from the clerk, and not more than one half of the inspectors shall be of the same political party. In each case the principal officer and his deputy shall be of the same political party. Every election officer shall hold office for one year, beginning with September first succeeding his appointment, and until his successor is qualified, or until his removal. An election officer may be removed by the mayor, with the approval of the aldermen, or by the selectmen, after a hearing, upon written charge of incompetence or official misconduct preferred by the city or town clerk, or by not less than six voters of the ward, or, in a town, of the voting precinct where the officer is appointed to act.

G. L. 54, § 14,
amended.

Filling of
vacancies in
number of
election officers.

SECTION 3. Said chapter fifty-four is hereby further amended by striking out section fourteen and inserting in place thereof the following: — *Section 14.* If there is a vacancy in the number of the election officers, or if an election officer declines his appointment and gives notice thereof to the city or town clerk within ten days following the date of his appointment, the mayor or the selectmen shall, except as provided in section sixteen, fill the vacancy; and the appointment shall be so made as to preserve the equal representation of the two leading political parties. Appointments to fill vacancies may be acted upon immediately by the aldermen.

Approved April 4, 1923.

Chap. 205 AN ACT REGULATING THE PAYMENT OF RETIREMENT ALLOWANCES TO MEMBERS OF THE STATE RETIREMENT ASSOCIATION.

Be it enacted, etc., as follows:

G. L. 32, § 5,
etc., amended.

SECTION 1. Section five of chapter thirty-two of the General Laws, as amended by sections three and four of chapter three hundred and forty-one of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out paragraph (2) *B (b)* and inserting in place thereof the following: — (b) A life annuity of less amount, payable monthly, with the provision that if the annuitant dies before receiving annuity payments equal to the amount used to purchase the annuity, the difference shall be paid to his legal representatives.

State retire-
ment associa-
tion, annuities
from employees'
deposits.

G. L. 32, § 5,
etc., amended.

SECTION 2. Said section five, as amended by sections three and four of said chapter three hundred and forty-one, is hereby further amended by striking out paragraph (2) *E* and inserting in place thereof the following: — *E. Minimum and Maximum Payments.* Except as otherwise provided, in no case shall a member, whether he has elected the form of annuity provided for in paragraph (2) *B (a)* or (2) *B (b)* of this section, be retired at such an annual rate of pension as would, when added to the annual amount which would be required to be paid from the annuity fund if he had elected the form of annuity provided for in said paragraph (2) *B (a)*, amount to a total retirement allowance of less than three hundred dollars, and in no case shall a member who has elected either of the aforesaid forms of annuity

State retire-
ment associa-
tion, minimum
and maximum
payments.

be retired at such an annual rate of pension as would, when added to the annual amount which would be required to be paid from the annuity fund if he had elected the form of annuity provided for in said paragraph (2) *B (a)*, amount to a total retirement allowance of more than one half the average annual rate of his salary or wages during the five years prior to retirement, or, if such member resigns or is dismissed prior to the date of retirement, during the five years prior to such resignation or dismissal. For the purpose of determining the maximum pension and the maximum annuity under this section, the rate of salary or wages received by a member on the date immediately preceding the period of absence without pay shall be used as the rate of pay which he would have received during such absence without pay.

Approved April 4, 1923.

AN ACT PROVIDING FOR A FOURTH ASSISTANT CLERK OF COURTS
FOR THE COUNTY OF WORCESTER.

Chap. 206

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and twenty-one of the General Laws, as amended in section four by chapter three hundred and five of the acts of nineteen hundred and twenty-one and by section five of chapter one hundred and sixty-four of the acts of the current year, is hereby further amended by striking out said section four and inserting in place thereof the following: — *Section 4.* The justices of the supreme judicial court shall appoint for a term of three years from the date of their appointment, and may remove, assistant clerks of courts, as follows:

G. L. 221, § 4,
etc., amended.

Justices of
supreme judicial
court to
appoint, etc.,
assistant clerks
of courts.

For the county of —

Barnstable, an assistant;

Bristol, an assistant;

Essex, an assistant, a second assistant, a third assistant and a fourth assistant;

Hampden, an assistant, a second assistant and, subject to the approval of the county commissioners, a third assistant;

Middlesex, an assistant, a second assistant, a third assistant and a fourth assistant;

Norfolk, an assistant;

Plymouth, an assistant;

Suffolk, an assistant of the supreme judicial court;

Worcester, an assistant, a second assistant, a third assistant and a fourth assistant.

Assistant clerks of courts except in Suffolk county shall act as assistant clerks of the supreme judicial court, the superior court and the county commissioners.

SECTION 2. Section ninety-five of said chapter two hundred and twenty-one is hereby amended by adding at the end thereof the words: — and the salary of the fourth assistant clerk of courts for the county of Worcester shall be fifty per cent of the salary of the clerk of courts of such county, — so as to read as follows: — *Section 95.* Except as provided in section ninety-three, the salaries of assistant clerks of courts shall be as follows:

G. L. 221, § 95,
amended.

Salaries of
assistant clerks
of courts.

first assistant clerks, sixty-five per cent, second and other assistant clerks, sixty per cent, of the salaries of the clerks of their respective courts, except that the salary of the assistant clerk of the superior court for civil business in Suffolk county performing duties as clerk in equity proceedings shall be five thousand dollars and the salary of the fourth assistant clerk of courts for the county of Worcester shall be fifty per cent of the salary of the clerk of courts of such county. *Approved April 4, 1923.*

Chap.207 AN ACT AUTHORIZING THE TRUSTEES OF THE ESSEX COUNTY AGRICULTURAL SCHOOL TO MAKE CERTAIN IMPROVEMENTS AT SAID SCHOOL.

Be it enacted, etc., as follows:

Trustees of Essex county agricultural school may make certain improvements, etc.

Loans by Essex county commissioners.

SECTION 1. The trustees of the Essex county agricultural school, may, subject to the approval of the department of education, expend a sum not exceeding twenty thousand dollars, to be provided by the county of Essex, for the purpose of constructing and equipping a greenhouse, including the head house.

SECTION 2. For the purposes aforesaid, the county commissioners of said county may from time to time borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, twenty thousand dollars, and may issue bonds or notes of the county therefor. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws. The proceeds from the sale of the bonds or notes issued hereunder shall be paid to the trustees of said school by the treasurer of the county with the approval of the county commissioners.

To be submitted to Essex county commissioners. Proviso.

SECTION 3. This act shall take effect upon its acceptance by the county commissioners of Essex county; provided, that such acceptance occurs prior to December thirty-first in the current year. *Approved April 4, 1923.*

Chap.208 AN ACT VALIDATING CERTAIN ACTS AND PROCEEDINGS OF THE TOWN OF CHATHAM AND OF ITS PARK COMMISSIONERS.

Be it enacted, etc., as follows:

Certain acts, etc., of town of Chatham and of its park commissioners validated.

All acts and proceedings of the town of Chatham and of its park commissioners between June sixteenth, nineteen hundred and twenty-one and the time this act takes effect, so far as said acts and proceedings were invalid by reason of the failure of said town legally to accept sections one to nine, inclusive, of chapter forty-five of the General Laws or legally to elect its park commissioners, are hereby confirmed and made valid.

Approved April 4, 1923.

AN ACT AUTHORIZING THE COUNTY OF MIDDLESEX TO PENSION *Chap.209*
 PERLIE A. KETCHUM.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Middlesex may retire Perlle A. Ketchum, an employee of said county, on an annual pension equal to one half the annual compensation received by him at the time of his retirement, payable by said county in monthly instalments.

County of Middlesex may pension Perlle A. Ketchum.

SECTION 2. This act shall take effect upon its acceptance, prior to December thirty-first in the current year, by the county commissioners of said county. *Approved April 4, 1923.*

To be submitted to Middlesex county commissioners.

AN ACT RELATIVE TO THE OBSERVANCE OF ARMISTICE DAY. *Chap.210*

Be it enacted, etc., as follows:

Chapter six of the General Laws is hereby amended by inserting after section twelve the following new section:— *Section 12A.* The governor shall annually issue a proclamation calling for a proper observance of November eleventh as Armistice Day, in lasting recognition of the service and sacrifice of those sons and daughters of Massachusetts who served in the naval and military service of the United States during the World War and in thanksgiving for the termination of hostilities on the first Armistice Day, November eleventh, nineteen hundred and eighteen.

G. L. 6, new section after § 12.

Governor to issue proclamation for observance of Armistice Day.

Approved April 4, 1923.

AN ACT AUTHORIZING THE APPOINTMENT OF A THIRD ASSISTANT DISTRICT ATTORNEY FOR THE MIDDLE DISTRICT. *Chap.211*

Be it enacted, etc., as follows:

SECTION 1. Section fourteen of chapter twelve of the General Laws, as amended by section one of chapter three hundred and four of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the ninth line, the word "and" and inserting in place thereof a comma, — and by inserting after the word "attorney" in the tenth line the following: — and a third assistant district attorney, — so as to read as follows: — *Section 14.* District attorneys of the following districts may appoint the following officers, as herein specified, and may at their pleasure remove them:

G. L. 12, § 14, etc., amended.

District attorneys may appoint assistant district attorneys, etc.

For the Suffolk district, six assistant district attorneys.

For the northern district, an assistant district attorney and three second assistant district attorneys.

For the eastern district, an assistant district attorney and a second assistant district attorney.

For the middle district, an assistant district attorney, a second assistant district attorney and a third assistant district attorney.

For the southeastern district, an assistant district attorney and a second assistant district attorney, and, if in the opinion of

the district attorney the interests of the commonwealth require, with the approval of the chief justice of the superior court, a deputy district attorney.

For the southern district, an assistant district attorney and a second assistant district attorney.

For the western district, an assistant district attorney and a second assistant district attorney, of whom one shall reside in Berkshire county and the other in Hampden county.

G. L. 12, § 16,
etc., amended.

Salaries of
assistant
district at-
torneys, etc.

SECTION 2. Said chapter twelve, as amended in section sixteen by section two of said chapter three hundred and four, is hereby further amended by striking out said section sixteen and inserting in place thereof the following:— *Section 16.* Subject to the following section, assistant, second assistant and third assistant district attorneys and deputy district attorneys shall receive from the commonwealth salaries as follows:

For the Suffolk district, four assistants, five thousand dollars, and two assistants, four thousand dollars.

For the northern district, assistant, three thousand dollars; second assistants, twenty-two hundred and fifty dollars.

For the eastern district, assistant, three thousand dollars; second assistant, twenty-two hundred and fifty dollars.

For the middle district, assistant, three thousand dollars; second assistant, twenty-two hundred and fifty dollars; third assistant, eighteen hundred dollars.

For the southeastern district, assistant, three thousand dollars; second assistant, twenty-two hundred and fifty dollars; deputy district attorney, such compensation as shall be fixed by the district attorney, with the approval of the chief justice of the superior court.

For the southern district, assistant, twenty-four hundred dollars; second assistant, eighteen hundred dollars.

For the western district, assistant, eighteen hundred dollars; second assistant, thirteen hundred and fifty dollars.

When act takes
effect.

SECTION 3. This act shall not take effect until an appropriation has been made sufficient to cover the salary of a third assistant district attorney for the middle district for the balance of the current fiscal year.

Approved April 4, 1923.

Chap. 212 AN ACT RELATIVE TO THE TAKING AND POSSESSION OF PIKE PERCH AND TO THE SALE THEREOF.

Be it enacted, etc., as follows:

G. L. 130, new
section after
§ 62.

Taking and
possession of
pike perch and
sale thereof
regulated.

Chapter one hundred and thirty of the General Laws is hereby amended by inserting after section sixty-two the following new section:— *Section 62A.* No person shall take from the waters of this commonwealth or have in possession a pike perch or any part thereof so taken between February first and April thirtieth, both dates inclusive, or at any time take from said waters or have in possession a pike perch less than twelve inches in length so taken unless taken by a person lawfully fishing and immediately returned alive to the water whence it was taken. No person shall sell or offer for sale a pike perch taken from the waters of

this commonwealth. Whoever violates this section shall be punished by a fine of not more than ten dollars for each fish in respect to which the violation occurs. Penalty.

Approved April 4, 1923.

AN ACT AUTHORIZING THE COMMISSIONER OF CONSERVATION TO ACCEPT A GIFT OF CERTAIN LAND IN THE TOWN OF NEW MARLBOROUGH.

Chap. 213

Be it enacted, etc., as follows:

The commissioner of conservation, with the approval of the governor and council, may accept, on behalf of the commonwealth, a gift of land of five acres, more or less, situated in the town of New Marlborough, in the county of Berkshire, to be used for the purpose of preserving Campbell Falls, so-called; provided, that the deed of such land is first approved by the attorney general. The commissioner may, with the approval of the governor and council, co-operate with the authorities of the state of Connecticut in the care and maintenance of such land.

Commissioner of conservation may accept a gift of certain land in town of New Marlborough.

Proviso.
Co-operation with state of Connecticut, etc.

Approved April 4, 1923.

AN ACT RELATIVE TO THE ELIGIBILITY OF CERTAIN TOWNS TO STATE AID FOR THE EXTINGUISHMENT OF FOREST FIRES.

Chap. 214

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section twenty-four of chapter forty-eight of the General Laws is hereby amended by striking out, in the fifteenth line, the word "tenth" and inserting in place thereof the word:— twentieth, — so as to read as follows:— *Section 24.* Money appropriated by a town under section eleven of chapter forty, for the prevention of forest fires, and all fines received under sections eleven, thirteen and twenty-six of this chapter and section nine of chapter two hundred and sixty-six shall be expended by the forest warden, under the supervision of the selectmen, in trimming brush out of wood roads, in preparing and preserving suitable lines for back fires, or in other ways adapted to prevent or check the spread of fire; or such town may expend any portion of such money in taking by eminent domain such woodland as the selectmen, upon recommendation of the forest warden, consider expedient to prevent forest fires. Such taking and the payment of damages therefor or for injury to property, other than by fire or back fire, shall be governed by chapter seventy-nine. Every town, the valuation of which does not exceed one million two hundred and fifty thousand dollars, which expends in any one year a sum equal to one twentieth of one per cent of its valuation in the extinguishment of forest fires, shall, upon the recommendation of the forester, approved

G. L. 48, § 24, amended.

Expenditures by forest wardens, etc.

Taking of woodland to prevent forest fires.

State aid to certain towns for extinguishment of forest fires.

Proviso.

by the governor, receive from the commonwealth one half of any additional sum expended by it in the extinguishment of forest fires, provided that the total amount paid by the commonwealth to any such town in any one year shall not exceed two hundred and fifty dollars. *Approved April 6, 1923.*

Chap.215 AN ACT AUTHORIZING THE TOWN OF HUDSON TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Town of Hudson may make an additional water loan.

SECTION 1. For the purpose of relaying and extending its water mains and improving its water distribution facilities, the town of Hudson may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Hudson Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Hudson Water Loan, Act of 1923.

Payment of loan, etc.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall, without further vote, be assessed by the assessors of said town annually thereafter, in the same manner as other taxes, until the debt incurred hereunder is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 7, 1923.

Chap.216 AN ACT AUTHORIZING THE TOWN OF SOUTHBOROUGH TO PAY A CERTAIN CLAIM OF PATRICK J. O'REILLY.

Be it enacted, etc., as follows:

Town of Southborough may pay certain claim of Patrick J. O'Reilly.

SECTION 1. The town of Southborough may pay to Patrick J. O'Reilly the sum of two hundred dollars, the same being the sum which he would have received had he accepted, within the time allowed by law, the award of said town for the taking of land for a certain public purpose, as shown by an order of taking recorded July sixteenth, nineteen hundred and nine with the Worcester district registry of deeds, book nineteen hundred and nine, page four hundred and forty-five.

SECTION 2. This act shall take effect upon its passage.

Approved April 7, 1923.

AN ACT TO EXTEND THE DURATION OF AN ACT AUTHORIZING
THE APPOINTMENT BY THE GOVERNOR OF A FUEL ADMINIS-
TRATOR. Chap. 217

Whereas, In order to secure an adequate supply of fuel for the citizens of Massachusetts in the event of an emergency, the services of a fuel administrator are necessary; and whereas, the provisions of the Commonwealth Defence Act of nineteen hundred and seventeen, as revived and extended by chapter five hundred and forty-four of the acts of nineteen hundred and twenty-two, are operative only until April first, nineteen hundred and twenty-three, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter five hundred and forty-four of the acts of nineteen hundred and twenty-two is hereby amended by striking out, in the last line, the word "twenty-three" and inserting in place thereof the word: — twenty-four, — so as to read as follows: — The provisions of the Commonwealth Defence Act of 1917, being chapter three hundred and forty-two of the General Acts of nineteen hundred and seventeen, relating to the appointment, duties, authority and powers of a fuel administrator, are hereby revived and made operative until April first, nineteen hundred and twenty-four.

1922, 544,
amended.

Act authorizing
appointment
by governor of
a fuel admin-
istrator, dura-
tion extended.

Approved April 7, 1923.

AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY
AND HIS AUTHORIZED OFFICERS TO ENTER THE PREMISES OF
LICENSED DEALERS IN SECOND HAND MOTOR VEHICLES. Chap. 218

Whereas, It is important and for the interest of the commonwealth that prompt action should be taken to prevent the thievery of motor vehicles, therefore this act is declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter one hundred and forty of the General Laws is hereby amended by striking out section sixty-six and inserting in place thereof the following: — *Section 66.* The commissioner of public safety, the police commissioner in Boston, the chief of police of any other city, the selectmen of a town or any police officer authorized by any of said officials, or an agent or inspector of the registrar may at any time enter upon any premises used by any person licensed under section fifty-nine for the purpose of carrying on his licensed business, ascertain how he conducts the same, and examine all second hand motor vehicles or parts thereof kept or stored in or upon the premises, and all books, papers and inventories relating thereto.

G. L. 140, § 66,
amended.

Certain officers,
etc., may enter
premises of
licensed dealers
in second hand
motor vehicles.

Approved April 7, 1923.

Chap.219 AN ACT TO ENABLE THE TRUSTEES OF PUBLIC RESERVATIONS TO TRANSFER VIRGINIA WOOD IN STONEHAM TO THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

Trustees of Public Reservations may transfer Virginia Wood in Stoneham to metropolitan district commission, etc.

SECTION 1. The Trustees of Public Reservations, a corporation created by chapter three hundred and fifty-two of the acts of eighteen hundred and ninety-one, is hereby authorized and empowered to transfer in fee or for care, maintenance and control to the commonwealth of Massachusetts, acting through its metropolitan district commission, a parcel of land known as Virginia Wood adjacent to the Middlesex Fells reservation of the metropolitan park system and situated between Pond street and Ravine road in the town of Stoneham, and said district commission is authorized to accept the same on behalf of the commonwealth on such terms and conditions as shall be agreed upon between said trustees and said district commission.

To be maintained as part of Middlesex Fells reservation, etc.

SECTION 2. Thereafter said parcel shall be maintained as a part of said Middlesex Fells reservation, but it shall continue to be known as Virginia Wood, and its bounds shall be marked by suitable boundstones, and the bronze tablet now installed therein, expressing the purpose of the gift, shall be maintained in its present or other suitable location.

SECTION 3. This act shall take effect upon its passage.

Approved April 7, 1923.

Chap.220 AN ACT PROVIDING FOR THE REDIVISION INTO WARDS OF THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

City of Fall River, redivision into wards.

SECTION 1. Subject otherwise to the provisions of chapter fifty-four of the General Laws, the city of Fall River, by vote of its board of aldermen subject to the provisions of its charter, may, in the year nineteen hundred and twenty-three, make a new division of its territory into the number of wards then fixed by law.

SECTION 2. This act shall take effect upon its passage.

Approved April 7, 1923.

Chap.221 AN ACT AUTHORIZING THE PAYMENT OF REASONABLE HOSPITAL, MEDICAL AND SURGICAL EXPENSES OF POLICE OFFICERS OF THE METROPOLITAN DISTRICT COMMISSION INJURED IN THE PERFORMANCE OF THEIR DUTY.

Emergency preamble.

Whereas, The deferred operation of this act would injuriously affect the efficiency of the police department of the metropolitan district commission and thereby the preservation of public peace, and would unfairly impose upon the members of said department medical, surgical and hospital expenses arising out of injuries sustained by them in the performance of their duty, therefore it is hereby declared to be an emergency law, necessary

for the immediate preservation of the public peace, safety and convenience.

Be it enacted, etc., as follows:

Chapter ninety-two of the General Laws is hereby amended by inserting after section sixty-three the following new section: — *Section 63.1.* The commission may authorize the payment, out of the metropolitan parks or boulevard maintenance funds, of the reasonable hospital, medical and surgical expenses of any permanent member of its police department or of any call officer thereof disabled, either mentally or physically, by injuries sustained through no fault of his own in the actual performance of his duty, for useful service in the department either temporarily or permanently.

Approved April 7, 1923.

G. L. 92, new section after § 63.
Payment of hospital, medical, etc., expenses of police officers of metropolitan district commission injured, etc.

AN ACT TO REQUIRE INSTRUCTION IN THE CONSTITUTION OF THE UNITED STATES IN THE PUBLIC SCHOOLS.

Chap. 222

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter seventy-one of the General Laws, as amended by chapter three hundred and sixty of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "history" in the tenth line the words: — and constitution, — so as to read as follows: — *Section 1.* Every town shall maintain, for at least one hundred and sixty days in each school year unless specifically exempted as to any one year by the department of education, in this chapter called the department, a sufficient number of schools for the instruction of all children who may legally attend a public school therein. Such schools shall be taught by teachers of competent ability and good morals, and shall give instruction and training in orthography, reading, writing, the English language and grammar, geography, arithmetic, drawing, the history and constitution of the United States, the duties of citizenship, physiology and hygiene, good behavior, indoor and outdoor games and athletic exercise. In connection with physiology and hygiene, instruction as to the effects of alcoholic drinks and of stimulants and narcotics on the human system, and as to tuberculosis and its prevention, shall be given to all pupils in all schools under public control, except schools maintained solely for instruction in particular branches. Such other subjects as the school committee considers expedient may be taught in the public schools.

G. L. 71, § 1, etc., amended.

Maintenance of public schools.

Qualifications of teachers. Subjects to be taught.

SECTION 2. Section two of said chapter seventy-one is hereby amended by inserting after the word "civics" in the second line the words: —, including the constitution of the United States, — so as to read as follows: — *Section 2.* In all public elementary and high schools American history and civics, including the constitution of the United States, shall be taught as required subjects for the purpose of promoting civic service and a greater knowledge thereof, and of fitting the pupils, morally and intellectually, for the duties of citizenship.

G. L. 71, § 2, amended.

Teaching of American history, civics, constitution of the United States, etc.

Approved April 7, 1923.

Chap.223 AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON
FOR MUNICIPAL PURPOSES.

Be it enacted, etc., as follows:

Appropriations
by city of
Boston for
municipal
purposes.

The city of Boston may by vote of the city council, with the approval of the mayor, in the manner specified in section three of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, make appropriations for municipal purposes for the financial year ending on January thirty-first, nineteen hundred and twenty-four, not exceeding the sum of twelve dollars and seventy-five cents on each one thousand dollars of the valuation upon which the appropriations by the city council are based.

Approved April 7, 1923.

Chap.224 AN ACT TRANSFERRING FROM THE METROPOLITAN DISTRICT
COMMISSION TO THE ARMORY COMMISSIONERS THE CARE,
CUSTODY AND CONTROL OF CERTAIN PARK LANDS IN THE CITY
OF QUINCY.

Be it enacted, etc., as follows:

Armory com-
missioners to
have care,
custody and
control of
certain land
taken by
metropolitan
park commis-
sion in city of
Quincy.

The armory commissioners shall hereafter have the care, custody and control of a certain parcel of land being a part of the land taken by eminent domain by the metropolitan park commission for boulevard purposes and situated in the city of Quincy, adjoining the southeasterly corner of Hancock street and Furnace Brook parkway and bounded and described as follows: Beginning at a point in the northeasterly side line of Hancock street distant sixty feet northwesterly from the southerly corner of said land taken by the metropolitan park commission; thence running north twenty-eight degrees, thirty-three minutes six seconds west by said side line on Hancock street fifty-one and nineteen one hundredths feet to a point; thence running northeasterly on a line curving to the right with a radius of eighty-three feet, one hundred and twenty-five and twenty-eight one hundredths feet to a point; thence north fifty-seven degrees, fifty-five minutes, fifty-four seconds east three hundred and three and three one hundredths feet to a point; thence south thirty-two degrees four minutes six seconds east one hundred and twenty-nine feet to a point; thence south fifty-seven degrees fifty-five minutes fifty-four seconds west three hundred and eighty-nine and two one hundredths feet to the point of beginning. Any armory constructed on such land shall be located at a distance of not less than fifty feet from said Hancock street.

Approved April 7, 1923.

Chap.225 AN ACT RELATIVE TO THE ASSIGNMENT OF QUARTERS IN THE
STATE HOUSE FOR THE USE OF THE MASSACHUSETTS DEPART-
MENTS OF CERTAIN ORGANIZATIONS OF WAR VETERANS.

Be it enacted, etc., as follows:

G. L. 8, § 17,
etc., amended.

SECTION 1. Chapter eight of the General Laws, as amended in section seventeen by section one of chapter four hundred and

fifty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section seventeen and inserting in place thereof the following: — *Section 17.* There shall be set apart and suitably furnished a room or rooms in the state house for the use of the Grand Army of the Republic of the department of Massachusetts, the Massachusetts department of The American Legion, of the United Spanish War Veterans and of the Veterans of Foreign Wars of the United States, respectively, such room or rooms to be under the charge of the state commanders of the respective departments, subject to this chapter. The headquarters thus established for the first named department shall be used for storing its supplies and property, relics and mementos of the war of the rebellion and for arranging and preserving a history of persons, who served in the army, navy or marine corps during such war in organizations of the commonwealth, or of citizens of the commonwealth who served in the regular army, navy or marine corps of the United States, which said department may collect or desire to preserve. The headquarters thus established for each of the other departments shall be used for storing and preserving the records and other property of the department and relics and mementos of the World war and Spanish war.

Rooms in state house for the several departments of war veterans, etc.

SECTION 2. Section eighteen of said chapter eight, as amended by section two of chapter four hundred and fifty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "Wars" in the fifth line the words: — of the United States, — so as to read as follows: — *Section 18.* The histories, relics and mementos of the Grand Army of the Republic of the department of Massachusetts and the records of the Massachusetts department of the United Spanish War Veterans, of The American Legion and of the Veterans of Foreign Wars of the United States shall be accessible at all times, under suitable rules and regulations, to members of the respective departments and to others engaged in collecting historical information. Whenever any such department ceases to exist, its records, papers, relics and other effects shall become the property of the commonwealth. *Approved April 7, 1923.*

G. L. S. § 18, etc., amended.

Histories, etc., of the several departments of war veterans, accessibility, etc.

AN ACT RELATIVE TO THE MANUFACTURE, REMAKING AND SALE OF MATTRESSES AND CERTAIN OTHER SIMILAR ARTICLES. *Chap. 226*

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out section two hundred and seventy and inserting in place thereof the following: — *Section 270.* No person shall manufacture for purposes of sale, sell, offer or expose for sale, or have in possession with intent to sell, any mattress, pillow, cushion, muff bed, quilt or similar article having a filling of hair, down, feathers, wool, cotton, kapok or other material, unless there is plainly marked upon each such article, or upon a tag of some durable substance sewed thereon, or otherwise securely attached thereto, a statement of the kind of material used for filling in the manufacture of such article, the name of

G. L. 94, § 270, amended.

Manufacture, sale, etc., of mattresses, etc., regulated.

the manufacturer or vendor, and, also, if the material has previously been used, the words "second hand" and, unless, if any such article is enclosed in a bale, box, crate or other receptacle, there shall be plainly marked upon such receptacle, or upon a durable tag securely attached thereto, a statement that the contents of the package are marked as herein required. Whoever renovates or remakes any mattress shall attach a tag thereto bearing the word "remade" and a statement of the kind of material used for filling. Possession of any mattress, pillow, cushion, muff bed, quilt or similar article, not marked as provided herein, by any person engaged in the business of manufacturing, selling or offering for sale any such article, shall be prima facie evidence that such article is being manufactured, remade or renovated, or is offered or exposed for sale, in violation of the provisions of this section.

Remaking, etc.,
of mattresses
regulated.

Prima facie
evidence of
violations, etc.

G. L. 94, § 271,
amended.

SECTION 2. Section two hundred and seventy-one of said chapter ninety-four is hereby amended by inserting after the word "sale" in the fourth line the words: — or for use in the remaking or renovating of any such article, — so as to read as follows: — *Section 271.* No person shall use, in the manufacture of any mattress, pillow, cushion, muff bed, quilt or similar article for purposes of sale, or sell or offer or expose for sale, or have in possession for the purpose of such use or for sale or for use in the remaking or renovating of any such article, any material which has previously been used in or about a hospital, or on or about the person of any one having an infectious or contagious disease, nor shall any person sell, or offer or expose for sale, any such article containing materials which have previously been so used.

Use of certain
material in
manufacture,
etc., of mat-
tresses, etc.,
prohibited.

G. L. 94, § 272,
amended.

SECTION 3. Section two hundred and seventy-two of said chapter ninety-four is hereby amended by striking out in the second line the words "silk floss" and inserting in place thereof the word: — kapok, — and by striking out the second sentence and inserting in place thereof the following: — No person engaged in the business of selling any such materials shall ship any box, crate, package or other container in which is placed any such hair or other material above specified unless there is attached thereto a tag containing a statement of the contents of the package together with the name of the vendor, and if the material has been used before, with the words "second hand", — so as to read as follows: — *Section 272.* No person shall sell or offer for sale any second hand hair, down, feathers, wool, cotton, kapok or other materials commonly used for filling mattresses, pillows, cushions, muff beds, quilts or other similar articles, representing the same to be new material. No person engaged in the business of selling any such materials shall ship any box, crate, package or other container in which is placed any such hair or other material above specified unless there is attached thereto a tag containing a statement of the contents of the package together with the name of the vendor, and if the material has been used before, with the words "second hand." Violation of any provision of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

Sale, etc., of
second hand
hair, etc.,
regulated.

Penalty.

SECTION 4. Said chapter ninety-four is hereby further amended by striking out section two hundred and seventy-three and inserting in place thereof the following: — *Section 273.* The department of public health, whenever there is reason to believe that any provision of sections two hundred and seventy to two hundred and seventy-seven, inclusive, is being violated in any factory, shop, warehouse, store or other place, shall cause an investigation to be made of any such place, and for this purpose any member or duly authorized employee of the said department may enter such building or other place at all reasonable times. If, upon investigation, mattresses, pillows, cushions, muf bed, quilts or similar articles, or materials for use in the manufacture, remaking or renovation of the same, shall there be found, which have been previously used in or about a hospital, or on or about the person of any one having an infectious or contagious disease, such materials or articles, whether manufactured, remade or renovated or in process of manufacture, remaking or renovation, shall be marked by the said department with labels bearing the word "unclean" in conspicuous letters, and the said department, with or without notice to the owner or supposed owner, may order the removal and destruction of the said materials or articles or make such other order relating thereto as the circumstances of the case require. Whoever obstructs, hinders or in any way interferes with any duly authorized employee of the department in the performance of his official duties under this and the following sections shall for the first offence be punished by a fine of not more than fifty dollars and for a subsequent offence by a fine of not more than one hundred dollars.

G. L. 94, § 273, amended.

Investigations by department of public health as to manufacture, etc., of mattresses, etc.

Certain mattresses to be marked "unclean", etc.

Penalty for interference, etc.

SECTION 5. Said chapter ninety-four is hereby amended by striking out section two hundred and seventy-seven and inserting in place thereof the following new section: — *Section 277.* Whoever violates any provision of section two hundred and seventy or two hundred and seventy-one shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both. *Approved April 7, 1923.*

G. L. 94, § 277, amended.

Penalty for violation of laws as to manufacture, etc., of mattresses, etc.

AN ACT ABOLISHING THE OFFICES OF CLERK AND ASSISTANT CLERK OF THE DEPARTMENT OF PUBLIC UTILITIES.

Chap. 227

Be it enacted, etc., as follows:

Section six of chapter twenty-five of the General Laws is hereby repealed. *Approved April 7, 1923.*

Offices of clerk and assistant clerk of department of public utilities abolished.

AN ACT RELATIVE TO THE NUMBER OF DOORKEEPERS, ASSISTANT DOORKEEPERS, MESSENGERS AND PAGES OF THE GENERAL COURT.

Chap. 228

Be it enacted, etc., as follows:

SECTION 1. Section nineteen of chapter three of the General Laws is hereby amended by striking out, in the second line, the word "forty" and inserting in place thereof the word: — forty-

G. L. 3, § 19, amended.

General court,
number of
doorkeepers,
etc., authorized.
Time of taking
effect.

one, — so as to read as follows: — *Section 19.* The number of doorkeepers, assistant doorkeepers, messengers and pages of the senate and of the house shall not exceed forty-one in all.

SECTION 2. This act shall take effect January first, nineteen hundred and twenty-four. *Approved April 7, 1923.*

Chap. 229 AN ACT RELATIVE TO COMPENSATION FOR TRAVEL TO CERTAIN EMPLOYEES OF THE SERGEANT-AT-ARMS OF THE GENERAL COURT.

Be it enacted, etc., as follows:

G. L. 3, § 20,
etc., amended.

SECTION 1. Section twenty of chapter three of the General Laws, as amended by section two of chapter four hundred and ninety-eight of the acts of nineteen hundred and twenty-one and by chapter eight of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "postmaster" in the third line the words: — , the clerks in the sergeant-at-arms' office, — so as to read as follows: — *Section 20.* Doorkeepers, assistant doorkeepers, messengers and pages, the postmaster and assistant postmaster, the clerks in the sergeant-at-arms' office, and the clerk, assistant clerk and other assistants in the legislative document room shall each receive for each annual session three dollars and sixty cents for every mile of ordinary traveling distance from their places of abode to the place of the sitting of the general court. Payments to persons authorized to receive compensation under this section shall be made from the treasury of the commonwealth in anticipation of an appropriation, in the month of January of each year, upon the certificate of the sergeant-at-arms approved by the president of the senate and the speaker of the house of representatives.

General court,
compensation
for travel to
certain em-
ployees of
sergeant-at-
arms.

Time of taking
effect.

SECTION 2. This act shall take effect as of January first in the current year. *Approved April 7, 1923.*

Chap. 230 AN ACT MAKING UNIFORM THE LAW RELATIVE TO LIABILITY FOR DEFECTS IN METROPOLITAN BOULEVARDS AND IN STATE HIGHWAYS.

Be it enacted, etc., as follows:

G. L. 92, § 36,
amended.

Liability for
defects in met-
ropolitan
boulevards.

Chapter ninety-two of the General Laws is hereby amended by striking out section thirty-six and inserting in place thereof the following: — *Section 36.* The commonwealth shall be liable for injuries sustained by persons while traveling on any boulevard maintained by the commission under authority of the preceding section, if the same are caused by defects within the limits of the constructed traveled roadway, in the manner and subject to the limitations, conditions and restrictions specified in sections fifteen, eighteen and nineteen of chapter eighty-four, except that the commonwealth shall not be liable for injury sustained because of the want of a railing in or upon any boulevard, or for injury sustained upon the sidewalk of a boulevard or during the construction, reconstruction or repair of such boulevard. Actions seeking to enforce such rights and remedies shall be brought against the commission as such, but there shall never be any

Actions to be
brought against
commission, etc.

personal liability on the part of them or any of them to any person injured as aforesaid by reason of such defect. Notices required to be served upon the defendant in proceedings hereunder shall be served upon the commissioner or the secretary. All sums recovered against said commission under the foregoing provisions, together with any costs of suit and counsel fees, expenses and interest, shall be deemed expenses of care and maintenance of boulevards.

Service of notices.

Sums recovered, etc., to be deemed expenses, etc.

Approved April 7, 1923.

AN ACT RELATIVE TO AGENTS OF THE DEPARTMENT OF CORRECTION.

Chap.231

Be it enacted, etc., as follows:

SECTION 1. Chapter twenty-seven of the General Laws is hereby amended by striking out section four and inserting in place thereof the following: — *Section 4.* The commissioner may employ such number of male and female agents as may be approved by the governor and council to enable him and the board of parole to carry out the laws relative to the parole of prisoners from state penal institutions, their supervision while on parole and the procuring of employment for them, may remove them and may fix their compensation. One or more of said agents may be designated by the commissioner as agents for aiding discharged prisoners. One or more of said agents may be designated by the commissioner as agents for the identification of criminals. The agents shall give their entire time during business hours to their duties, and shall be reimbursed for the necessary expenses actually incurred in the performance of their duties, after the bills therefor have been approved by the commissioner.

G. L. 27, § 4, amended.

Agents of department of correction, employment, etc.

Agents for aiding discharged prisoners.

Agents for identification of criminals. To give entire time, etc.

SECTION 2. Nothing in this act shall be construed as authorizing the employment or removal of such agents except in accordance with chapter thirty-one of the General Laws and the rules and regulations made thereunder, nor the fixing or increasing of their salaries except in accordance with sections forty-five to fifty, inclusive, of chapter thirty of the General Laws.

Act, how construed.

Approved April 7, 1923.

AN ACT RELATIVE TO THE INITIAL ESTABLISHMENT OF SALARIES OF CITY COUNCILLORS IN CITIES OPERATING UNDER PLAN B OF THE STANDARD FORMS OF CITY CHARTERS.

Chap.232

Be it enacted, etc., as follows:

Section sixty-two of chapter forty-three of the General Laws is hereby amended by adding at the end thereof the following: — ; provided, that the initial establishment of such salary after the adoption of plan B may take effect in the year when established and in accordance with the vote establishing the same, — so as to read as follows: — *Section 62.* The mayor shall receive for his services such salary as the city council by ordinance shall determine, not exceeding five thousand dollars, and shall receive no other compensation from the city. His salary

G. L. 43, § 62, amended.

Plan B of standard forms of city charters, salary of mayor.

shall not be increased or diminished during the term for which he is elected.

Salaries of city
councillors.

The council may, by a two thirds vote of all its members, taken by call of the yeas and nays, establish a salary for its members not exceeding five hundred dollars each. Such salary may be reduced, but no increase therein shall be made to take effect during the year in which the increase is voted; provided, that the initial establishment of such salary after the adoption of plan B may take effect in the year when established and in accordance with the vote establishing the same.

Proviso.

Approved April 7, 1923.

Chap. 233 AN ACT DISPENSING WITH THE STATE REQUIREMENTS FOR THE RECORDING OF SALES OF PURE ALCOHOL, INTOXICATING LIQUOR AND CERTAIN NON-INTOXICATING BEVERAGES BY HOLDERS OF THIRD CLASS LICENSES OR CERTIFICATES OF FITNESS.

Be it enacted, etc., as follows:

G. L. 138, § 18,
amended.

SECTION 1. Section eighteen of chapter one hundred and thirty-eight of the General Laws is hereby amended by inserting after the word "alcohol" in the seventh line the words:— by weight, — by striking out, in the tenth line, the words " , mechanical or chemical" and by striking out, in the tenth and eleventh lines, the words " , and to such persons only as may certify in writing for what use they want them", — so as to read as follows: — *Section 18.* Licenses shall be of the following classes:

Intoxicating
liquors and
certain non-
intoxicating
beverages, sale,
etc., classes of
licenses.

First class. To sell malt beverages, cider and light wines containing not more than two and seventy-five one-hundredths per cent of alcohol by weight at sixty degrees Fahrenheit, to be drunk on the premises.

Second class. To sell, or manufacture and sell, malt beverages, cider and light wines containing not more than two and seventy-five one-hundredths per cent of alcohol by weight at sixty degrees Fahrenheit, not to be drunk on the premises.

Third class. Licenses to retail druggists to sell liquors of any kind for medicinal purposes only.

Fourth class. To sell, to any person holding a third or fifth class license, or a certificate of fitness under section twenty-seven, or to any person lawfully authorized by the laws of the United States and the regulations made thereunder to purchase intoxicating liquors, intoxicating liquors of any kind for other than beverage purposes, not to be used on the premises.

Fifth class. Licenses to dealers in paints or in chemicals to sell alcohol for mechanical, manufacturing or chemical purposes only.

G. L. 138, § 25,
amended.

Sale by drug-
gists upon pre-
scription, etc.

SECTION 2. Said chapter one hundred and thirty-eight is hereby amended by striking out section twenty-five and inserting in place thereof the following: — *Section 25.* Druggists having a third class license may sell pure alcohol and intoxicating liquors or certain non-intoxicating beverages upon the pre-

scription of a registered physician; provided, that the prescription is dated, contains the name of the person prescribed for and is signed by the physician. All such prescriptions shall be retained and kept on file in the manner provided by section twenty-eight.

Proviso.

SECTION 3. Section twenty-eight of said chapter one hundred and thirty-eight is hereby amended by striking out, in the fourth, fifth and sixth lines, the words "for medicinal, mechanical or chemical purposes without a physician's prescription, such sales to be recorded in the manner provided in section thirty-one, and may sell" and inserting in place thereof the word:— and, —so as to read as follows:— *Section 28.* In any city or town where licenses of the first two classes are not granted, registered pharmacists to whom a certificate of fitness has been issued as provided by the preceding section may sell pure alcohol and intoxicating liquors or certain non-intoxicating beverages upon the prescription of a registered physician practicing in such city or town, provided that the prescription is dated, contains the name of the person prescribed for, and is signed by the physician. All such prescriptions shall be retained and kept on file in a separate book by the pharmacist filling the same, and shall not be filled a second time. Such prescription book shall be open at all times to the inspection provided by section thirty-two.

G. L. 138, § 28, amended.

Sale by pharmacists upon prescription, etc.

Proviso.

SECTION 4. Sections thirty and thirty-one of said chapter one hundred and thirty-eight are hereby repealed.

G. L. 138, §§ 30, 31, repealed.

SECTION 5. Section thirty-two of said chapter one hundred and thirty-eight is hereby amended by striking out, in the first and second lines, the words "The book, certificates and prescriptions provided for in the two preceding sections" and inserting in place thereof the words:— All prescriptions referred to in sections twenty-five and twenty-eight, —so as to read as follows:— *Section 32.* All prescriptions referred to in sections twenty-five and twenty-eight and the book provided for in section forty-one shall at all times be open to the inspection of the board of registration in pharmacy, the licensing board in cities having such boards and in all other cities and towns, to the inspection of the aldermen, selectmen, overseers of the poor, sheriffs, constables, police officers and justices of the peace.

G. L. 138, § 32, amended.

Prescriptions, book, etc., open to inspection, etc.

SECTION 6. Section eighty-seven of said chapter one hundred and thirty-eight is hereby amended by striking out, in the second line, the words "thirty, thirty-one," so as to read as follows:— *Section 87.* Except as provided in the following section, violation of any provisions of section twenty-eight, thirty-two, forty-one or fifty-seven shall be punished by a fine of not less than fifty nor more than five hundred dollars or by imprisonment for not less than one nor more than six months, or both. A licensee of the fifth class who violates section thirty-two shall be punished as above provided.

G. L. 138, § 87, amended.

Penalty for certain violations, etc.

SECTION 7. Section eighty-eight of said chapter one hundred and thirty-eight is hereby amended by striking out, in the second line, the words "certificate or prescription referred to in sections thirty and thirty-one" and inserting in place thereof the words:— prescription referred to in section twenty-five or

G. L. 138, § 88, amended.

Penalty for false prescriptions.

twenty-eight, — so as to read as follows: — *Section 88.* Any person who makes or issues a false or fraudulent prescription referred to in section twenty-five or twenty-eight shall be punished by a fine of ten dollars.

G. L. 112, § 34, amended

SECTION 8. Section thirty-four of chapter one hundred and twelve of the General Laws is hereby amended by striking out the word "thirty" where it occurs the second time in the second line, and by striking out, in the third line, the words "thirty-one or", — so as to read as follows: — *Section 34.* The court or magistrate before whom a person is convicted of a violation of section thirty of this chapter, or of section thirty-two of chapter one hundred and thirty-eight, or of section two of chapter two hundred and seventy shall send to the board a certificate under seal showing the time, cause and place of conviction.

Certificate of conviction of pharmacist to be sent to board of registration in pharmacy.

Approved April 7, 1923.

Chap. 234 AN ACT AUTHORIZING CITIES AND TOWNS TO ESTABLISH INSURANCE FUNDS TO PAY WORKMEN'S COMPENSATION.

Be it enacted, etc., as follows:

G. L. 40, new section after § 13.
Cities and towns may establish insurance funds to pay workmen's compensation.

Chapter forty of the General Laws is hereby amended by inserting after section thirteen the following new section: — *Section 13A.* Any city or town which has accepted chapter eight hundred and seven of the acts of nineteen hundred and thirteen and which accepts this section, by vote of the city council or of the voters in town meeting, may appropriate an amount not exceeding in any one year one twentieth of one per cent of its assessed valuation to establish and maintain an insurance fund to pay workmen's compensation, from which any compensation payable under the provisions of sections sixty-nine to seventy-five, inclusive, of chapter one hundred and fifty-two shall be paid; but no money shall be appropriated for such purpose while the fund equals or exceeds one per cent of such assessed valuation. Such fund shall be managed and administered by the sinking fund commissioners of the city or town, if any, otherwise by the commissioners of trust funds of said city or town.

Approved April 7, 1923.

Chap. 235 AN ACT INCREASING THE AMOUNT THE COUNTY OF MIDDLESEX MAY BORROW TO MAKE IMPROVEMENTS AT THE COUNTY BUILDINGS IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

1921, 309, § 2, amended.

Middlesex county may borrow money to make improvements at county buildings in Cambridge.

SECTION 1. Section two of chapter three hundred and nine of the acts of nineteen hundred and twenty-one is hereby amended by striking out, in the third line, the words "one hundred" and inserting in place thereof the words: — three hundred and twenty-five, — so as to read as follows: — *Section 2.* For the purposes aforesaid, the said commissioners may borrow from time to time on the credit of the county sums not exceeding, in the aggregate, three hundred and twenty-five thousand dollars and may issue bonds or notes of the county therefor. Such bonds or notes shall be payable by such annual payments, be-

ginning not more than one year after the date of each loan, as will extinguish the loan within twenty years from its date, and the amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The county may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but not for less than their par value, and the proceeds, except premiums, shall be used only for the purposes herein specified. Premiums received on account of loans hereby authorized may be used to pay the cost of issuing the bonds or notes, and any balance shall be held and applied to the first bond or note maturing.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of the county of Middlesex; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 7, 1923.

To be submitted to county commissioners. Proviso.

AN ACT EXCLUDING CERTAIN PERSONS ENGAGED IN THE CONSTRUCTION OR RECONSTRUCTION OF HIGHWAYS FROM THE EIGHT HOUR LAW, SO-CALLED.

Chap. 236

Be it enacted, etc., as follows:

Section thirty of chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after the word "commonwealth" in the ninth line the words: —, except as provided herein, — and by adding at the end thereof the following: — The provisions of this section shall not prohibit the employment by the state department of public works, or by any contractor or sub-contractor for said department, of laborers, workmen and mechanics for more than eight hours in any one day in the construction or reconstruction of highways when, in the opinion of the commissioner of labor and industries, public necessity so requires., — so as to read as follows: — *Section 30.* The service of all laborers, workmen and mechanics now or hereafter employed by the commonwealth or any county therein or any town which, by vote of the city council, or of the voters at a town meeting, accepts this section or has accepted section one of chapter two hundred and forty of the General Acts of nineteen hundred and sixteen, or by any contractor or sub-contractor for or upon any public works of the commonwealth or of any county therein or of any such town is hereby restricted to eight hours in any one day and to forty-eight hours in any one week. No officer of the commonwealth, except as provided herein, or of any county or of any such town, no such contractor or sub-contractor or other person whose duty it is to employ, direct or control the service of such laborers, workmen or mechanics shall require or permit any such laborer, workman or mechanic to work more than eight hours in any one day, or more than forty-eight hours in any one week, except in cases of extraordinary emergency. The provisions of this section shall not prohibit the employment by the state department of public works, or by any contractor or sub-contractor for said department, of laborers, workmen and mechanics for more than eight hours in any one

G. L. 149, § 30, amended.

Eight hour day and forty-eight hour week for certain public employees.

Exclusion of certain persons engaged in construction of highways, etc.

day in the construction or reconstruction of highways when, in the opinion of the commissioner of labor and industries, public necessity so requires.

Approved April 7, 1923.

Chap.237 AN ACT RELATIVE TO THE RETIREMENT AND PENSION RIGHTS OF THE PRESENT DIRECTOR OF PHYSICAL TRAINING OF THE DEPARTMENT OF CORRECTION.

Be it enacted, etc., as follows:

Retirement and pension rights of present director of physical training of department of correction.

The present director of physical training of the department of correction shall not, by his designation as such, lose any rights that he had as a prison employee, or would thereafter have had as a prison employee, to retirement and pension under and in accordance with the provisions of sections forty-six to forty-eight, inclusive, of chapter thirty-two of the General Laws.

Approved April 7, 1923.

Chap.238 AN ACT RELATIVE TO FURNISHING VOTING LISTS TO DULY ORGANIZED STATE POLITICAL COMMITTEES.

Be it enacted, etc., as follows:

G. L. 51, § 57, amended.

SECTION 1. Section fifty-seven of chapter fifty-one of the General Laws is hereby amended by inserting after the word "annual" in the first line the words: — or biennial, — and by adding at the end thereof the words: — Upon application made by any state political committee organized in accordance with law, the clerk of the board of registrars shall furnish to it a copy of the voting list free of charge, — so as to read as follows: — *Section 57.* They shall, at least twenty days before the annual or biennial city or town election, and except in Boston, at least sixty days before the biennial state election, cause copies of the voting lists provided for in the two preceding sections to be posted in their principal office and in one or more other public places in the city or town, and in each precinct therein. Upon application made by any state political committee organized in accordance with law, the clerk of the board of registrars shall furnish to it a copy of the voting list free of charge.

Posting of voting lists.

Furnishing voting lists to state political committees.

Furnishing voting lists to state political committees in certain cities and towns.

SECTION 2. In a city or town in which the duty of posting copies of voting lists as provided in the preceding section is imposed upon a board other than the registrars, such board shall, upon application by any state political committee organized in accordance with law, furnish to it a copy of the voting list free of charge.

Approved April 7, 1923.

Chap.239 AN ACT RELATIVE TO THE RETIREMENT AND PENSION RIGHTS OF THE MESSENGER OF THE JUSTICES OF THE SUPREME JUDICIAL COURT AND OF THE JUSTICES OF THE SUPERIOR COURT IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

Retirement and pension rights of messenger of

Any court officer in attendance upon the supreme judicial court or upon the superior court in Suffolk county, who was ap-

pointed to said office prior to February first, nineteen hundred and twenty-three, and who thereafter shall have been appointed as messenger to the justices of either of the said courts, shall, notwithstanding his appointment as messenger, retain his rights to retirement and pension under section sixty-six of chapter thirty-two of the General Laws, but said pension shall not exceed in amount the pension to which he would have been entitled as said court officer. In determining the right of such officer to a pension under said section based on length of service and incapacity to further serve, the time he served as such messenger shall be deemed a part of his service as court officer.

justices of
supreme ju-
dicial court and
of justices of
superior court
in Suffolk
county.

Approved April 7, 1923.

AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO PENSION
JOHN P. BISHOP.

Chap. 240

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield may, at his request, retire its deputy city treasurer, John P. Bishop, now in the thirty-fifth year of his continuous and faithful service to said city, on a pension not to exceed twelve hundred dollars.

City of Spring-
field may pen-
sion John P.
Bishop.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be sub-
mitted to city
council, etc.
Proviso.

Approved April 7, 1923.

AN ACT RELATIVE TO BRIBING POLICE OFFICERS.

Chap. 241

Be it enacted, etc., as follows:

Chapter two hundred and sixty-eight of the General Laws is hereby amended by inserting after section eight the following new section: — *Section 8A.* A police officer who corruptly requests or accepts a gift or gratuity or a promise to make a gift or gratuity or to do an act beneficial to him, under an agreement or with an understanding that he will perform in any particular manner, or abstain from performing, any act coming within the course of his duty as such officer, or as a consideration for any work or service in connection therewith, shall forfeit his office, be forever disqualified to hold any public office, trust or appointment under the constitution or laws of the commonwealth and be punished by imprisonment in the state prison for not more than ten years or by a fine of not more than five thousand dollars and imprisonment in jail for not more than two years; and any person who corruptly gives, offers or promises to a police officer any gift or gratuity whatever, with intent to influence his act or to secure his inaction in any matter coming within the course of his duty as such officer, or as a consideration for any work or service in connection therewith, shall be punished by imprisonment in the state prison for not more than five years or by a fine of not more than three thousand dollars and imprisonment in jail for not more than one year.

G. L. 268, new
section after § 8.

Bribery of
police officers,
penalties, etc.

Approved April 7, 1923.

*Chap.*242 AN ACT TO CHANGE THE CIVIL SERVICE LAWS RELATIVE TO CERTAIN POLICE OFFICERS IN CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

G. L. 31, new sections after § 42.

Police officers under civil service rules in certain cities and towns, duration of office, removal, suspension, transfer, etc.

Temporary suspension.

Hearings, when to be public, where to be held, etc.

Charges, by whom to be made, etc.

Notice of decision.

Copy of reasons, notice, etc., to be public record.

Review by court of act of removing, suspending, etc., such police officers.

SECTION 1. Chapter thirty-one of the General Laws is hereby amended by inserting after section forty-two the two following new sections: — *Section 42A.* Except as provided in section twenty-six, every police officer holding an office classified under the civil service rules, in any city except Boston or in any town, whether for a definite or stated term or otherwise, shall hold such office continuously during good behavior and shall not be removed nor, except as otherwise provided herein, be suspended or, without his consent, be transferred from such office, nor shall he be lowered in rank or compensation, nor shall his office be abolished, except after a full hearing of which he shall have at least seventy-two hours' written notice, with a statement of the reasons for the contemplated removal, suspension, transfer, lowering in rank or compensation, or abolition of office, and except upon a written order stating fully and specifically the causes therefor made after a hearing as aforesaid and signed by the board or officer before whom the hearing is held. Such a police officer may, however, be temporarily suspended without such notice when necessary as a matter of police discipline, but only for just cause and for reasons specifically given him in writing within twenty-four hours after such suspension. If within three days thereafter the police officer so suspended shall so request in writing he shall be given a public hearing in not less than three nor more than fourteen days after the filing of the request. Any hearing under this section shall, if the police officer so requests in writing, be public and shall be held before the officer or board having power of appointment and removal. Any such hearing may be continued from time to time, if said board or officer and the police officer concerned agree thereto. At any such hearing charges shall be made by the officer in command of the department or of the district where the police officer is on duty or by any person designated by the official in command of the department, and the police officer concerned shall be allowed to answer the charges preferred against him, either personally or by counsel. Said police officer shall be notified in writing, within three days after the hearing, of the decision at such hearing. A copy of the reasons, notice and answers and of the order of removal, suspension, transfer, lowering in rank or compensation, or abolition of office shall be made a matter of public record. *Section 42B.* Within thirty days after a hearing provided for by the preceding section, the police officer who was removed, suspended, transferred, or lowered in rank or compensation, or whose office was abolished, may bring a petition in the district court of the judicial district where such police officer resides, addressed to the justice of the court, praying that the action of the officer or board in removing, suspending or transferring him, or lowering him in rank or compensation, or abolishing his office, may be reviewed by the court, and after such notice to such officer or board as the court deems necessary,

it shall review such action, hear any or all of the witnesses and determine whether or not upon all the evidence such action was justified. If the court finds that such action was justified, the decision at the hearing shall be affirmed; otherwise it shall be reversed and the petitioner shall be reinstated in his office without loss of compensation. The decision of the court shall be final and conclusive upon the parties.

Decision of court to be final, etc.

SECTION 2. Section forty-four of said chapter thirty-one is hereby repealed.

G. L. 31, § 44, repealed.

SECTION 3. Every police officer holding an office classified under the civil service rules in the city of Boston, whether for a definite or stated term, or otherwise, shall hold such office continuously during good behavior, and shall not be removed therefrom, lowered in rank or compensation, or suspended, or without his consent transferred from such office or employment to any other, except for just cause and for reasons specifically given in writing by the removing officer or board within twenty-four hours after such removal, suspension, transfer or lowering in rank or compensation; and every police officer sought to be so removed, lowered in rank or compensation, suspended or transferred shall be entitled to a public hearing, the same in all respects as provided in section forty-three of chapter thirty-one of the General Laws, including notice of decision, reinstatement and record of proceedings.

Police officers under civil service rules in city of Boston, duration of office, removal, lowering in rank or compensation, etc.

Public hearing.

Approved April 9, 1923.

AN ACT PLACING THE TOWN OF HALIFAX IN THE JUDICIAL DISTRICT OF THE DISTRICT COURT OF BROCKTON.

Chap. 243

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and eighteen of the General Laws, as amended by section one of chapter four hundred and thirty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the comma after the word "Duxbury" in the one hundred and thirty-second line and inserting in place thereof the word: — and, — by striking out, in the same line, the words "and Halifax", — and by inserting after the words "East Bridgewater" in the one hundred and thirty-seventh line the word: —, Halifax, — so that the clauses contained in the one hundred and thirty-first to the one hundred and thirty-seventh lines, both inclusive, will read as follows: —

G. L. 218, § 1, etc., amended.

The third district court of Plymouth, held at Plymouth; Plymouth, Kingston, Plympton, Pembroke, Duxbury and Marshfield.

District courts, territorial jurisdiction, etc.
Third Plymouth.
Fourth Plymouth.

The fourth district court of Plymouth, held at Middleborough and Wareham; Middleborough, Wareham, Lakeville, Marion, Mattapoisett, Rochester and Carver.

The district court of Brockton, held at Brockton; Brockton, Bridgewater, East Bridgewater, Halifax and West Bridgewater.

District court of Brockton.

SECTION 2. This act shall take effect on August first in the current year; but it shall not affect any action or proceeding brought in the third district court of Plymouth prior to the time it takes effect.

Time of taking effect, etc.

Approved April 9, 1923.

Chap. 244 AN ACT AUTHORIZING THE FEDERAL TRUST COMPANY TO HOLD
ADDITIONAL REAL ESTATE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Federal Trust
Company may
hold additional
real estate in
city of Boston.

The Federal Trust Company, a trust company incorporated by chapter ninety-two of the acts of eighteen hundred and ninety-nine and having its usual places of business in the city of Boston, may, subject otherwise to the provisions of section forty-one of chapter one hundred and seventy-two of the General Laws, as amended by chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-two and to the approval of the commissioner of banks, hold real estate in said city suitable for and to be used in whole or in part for the transaction of its business to an amount, including the cost of alterations and additions in the nature of permanent fixtures, not exceeding, directly or indirectly, eight hundred and twenty-five thousand dollars, in addition to the amount permitted by said section forty-one, amended as aforesaid, to be held by said trust company at the time this act takes effect.

Approved April 9, 1923.

Chap. 245 AN ACT RELATIVE TO TRANSFERS AND REMOVALS BY THE DE-
PARTMENT OF MENTAL DISEASES.

Be it enacted, etc., as follows:

G. L. 123, § 20,
etc., amended.

SECTION 1. Section twenty of chapter one hundred and twenty-three of the General Laws, as amended by section two of chapter three hundred and seventeen of the acts of nineteen hundred and twenty-one and section four of chapter four hundred and ten of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the seventh, eighth and ninth lines, the words “, and no person shall be so transferred to the Bridgewater state hospital unless he has been a criminal and vicious in his life”, by striking out the fourth sentence, by striking out, in the nineteenth line, the words “state charge” and inserting in place thereof the word: — inmate, — and by striking out, in the twenty-second and twenty-third lines, the words “state charge or indigent”, so as to read as follows: — *Section 20.* The department, subject to the following section, may transfer to and from any institution any inmate thereof who, in its opinion, is a proper subject for admission to the institution to which he is to be transferred; but no such inmate shall be transferred to be detained as an insane person unless he has been duly committed as insane by a judge or court. A record of such transfer shall be entered in the registers of the institutions to and from which he is transferred. The commitment papers, together with an abstract of his hospital case record, shall be transmitted with him to the institution to which he is transferred. The department may also remove any inmate in any state hospital to any country, state or place where he belongs, and may enter into an agreement with the corresponding board or commission of any other state for the transfer of any insane person from one state to the other where,

Department of
mental diseases,
general power
to transfer and
remove inmates
of institutions,
etc.

after a full investigation of all the facts, he may be deemed equitably to belong; but no such person shall be removed outside this commonwealth if he is subject to the orders of a court of this commonwealth, except that any such person who is subject to such orders may be so removed from Bridgewater state hospital at any time when he would have been entitled to parole if he had not become insane. In making such transfers and removals the department, so far as practicable, shall employ nurses or attendants instead of officers of the law, and shall employ female nurses or attendants to accompany female patients.

SECTION 2. Section eighteen of chapter one hundred and twenty of the General Laws is hereby repealed. G. L. 120, § 18, repealed.

Approved April 9, 1923.

AN ACT AUTHORIZING THE CITY OF WORCESTER TO FURNISH WATER TO THE TOWN OF SHREWSBURY AND TO USE THEREFOR A CERTAIN WATER PIPE LINE OWNED BY THE COMMONWEALTH.

Chap. 246

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester is hereby authorized to furnish water to the town of Shrewsbury by delivering the same into the water pipe system of said town for such periods of time, in such amounts and on such terms as the city council of said city, with the approval of the mayor, may determine, and, for the purpose aforesaid, said city, by its city council, may, with like approval, make a contract with said town, acting by its agents thereto authorized.

City of Worcester may furnish water to town of Shrewsbury.

SECTION 2. For the purposes of this act, the said city and town are hereby authorized to use the pipe line or water main, owned by the commonwealth, which extends through parts of Worcester, Shrewsbury and Grafton from the Worcester water system to the Grafton state hospital, by delivering the water or part of it, which the said city is hereby authorized to furnish to the said town, into said water pipe or main at its Worcester terminus, said water to be taken or drawn from said pipe line or main by the town of Shrewsbury at a point or points within the said town; provided, that the supply of water to the Grafton state hospital shall not at any time be rendered inadequate by such use.

Use of certain water pipe line owned by commonwealth.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved April 9, 1923.

AN ACT AUTHORIZING THE TOWN OF MARBLEHEAD TO TAKE BY EMINENT DOMAIN CERTAIN CEMETERY LANDS FOR SCHOOL PURPOSES.

Chap. 247

Be it enacted, etc., as follows:

The town of Marblehead may take by eminent domain for school purposes, under chapter seventy-nine of the General Laws, certain land in said town located at the corner of Spring and Elm streets and known as the Prince tomb property, and

Town of Marblehead may take by eminent domain certain cemetery lands for school purposes.

may, acting by its cemetery commissioners, remove certain bodies in said tomb property, together with any monuments and stones marking the graves thereof, and inter the bodies in a reverent and proper manner in such cemetery as may be selected by the owners of said tomb property. *Approved April 9, 1923.*

Chap. 248

AN ACT RELATIVE TO DANGEROUS WEAPONS.

Be it enacted, etc., as follows:

G. L. 269, § 10,
amended.

Penalty for
carrying
dangerous
weapons, etc.

Confiscation.

Forwarding to
commissioner
of public
safety, etc.

G. L. 269, § 9,
repealed.

SECTION 1. Chapter two hundred and sixty-nine of the General Laws is hereby amended by striking out section ten and inserting in place thereof the following: — *Section 10.* Whoever, except as provided by law, carries on his person or under his control in a vehicle a pistol or revolver, loaded or unloaded, without permission under section one hundred and thirty-one of chapter one hundred and forty, or whoever so carries any stiletto, dagger, dirk knife, slung shot or metallic knuckles, or whoever, when arrested upon a warrant for an alleged crime or when arrested while committing a crime or a breach or disturbance of the public peace, is armed with, or has on his person or under his control in a vehicle, a billy or dangerous weapon other than those herein mentioned, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not less than six months nor more than two and one half years in a jail or house of correction or for not less than two and one half years nor more than five years in the state prison, or by both such fine and imprisonment, and upon conviction the pistol or other article shall be confiscated by the commonwealth. The pistol or article so confiscated shall, by the authority of the written order of the court or trial justice, be forwarded by common carrier to the commissioner of public safety, who, upon receipt of the same, shall notify said court or justice thereof. Said officer may sell or destroy the same, and, in case of a sale, after paying the cost of forwarding the article, shall pay over the net proceeds to the commonwealth.

SECTION 2. Section nine of said chapter two hundred and sixty-nine is hereby repealed. *Approved April 9, 1923.*

Chap. 249

AN ACT RELATIVE TO CERTAIN EXPENDITURES BY THE WATUPPA WATER BOARD OF THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

1913, 749, § 1,
amended.

Expenditures
by Watuppa
water board
of city of Fall
River for ex-
tensions, etc.

SECTION 1. Chapter seven hundred and forty-nine of the acts of nineteen hundred and thirteen is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* The Watuppa water board of the city of Fall River may expend for such extensions of the water supply service in the said city as may be ordered by said board a sum not exceeding seventy-five thousand dollars for each of the years nineteen hundred and twenty-three, nineteen hundred and twenty-four, nineteen hundred and twenty-five and nineteen hundred and twenty-six.

SECTION 2. This act shall take effect upon its passage.

Approved April 10, 1923.

AN ACT RELATIVE TO CERTAIN REPLACEMENTS AND PERMANENT IMPROVEMENTS IN THE METROPOLITAN WATER SYSTEM. *Chap. 250*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing the replacements and permanent improvements for the metropolitan water district authorized by chapter five hundred and thirty of the acts of nineteen hundred and twenty, the metropolitan district commission may expend for any such replacement or permanent improvement so much of the proceeds of the bonds issued under said chapter as it may deem available, irrespective of any provisions as to maximum expenditures for specific replacements or permanent improvements contained therein.

Expenditures by metropolitan district commission for certain replacements and improvements in metropolitan water system.

SECTION 2. This act shall take effect upon its passage.

Approved April 10, 1923.

AN ACT TO PROTECT WITNESSES UNDER THE AGE OF SEVENTEEN AT TRIALS FOR CERTAIN CRIMES. *Chap. 251*

Be it enacted, etc., as follows:

Chapter two hundred and seventy-eight of the General Laws is hereby amended by inserting after section sixteen the following new section: — *Section 16A.* At the trial of a complaint or indictment for rape, incest, carnal abuse or other crime involving sex, where a minor under seventeen years of age is the person upon, with or against whom the crime is alleged to have been committed, or at the trial of a complaint or indictment for bastardy, where the mother of the child whose paternity is in question is such a minor, the presiding justice shall, if said trial is before a district court, or may, if before the superior court, exclude the general public from the court room, admitting only such persons as may have a direct interest in the case.

G. L. 278, new section after § 16.

Protection of witnesses under age of seventeen at trials for certain crimes.

Approved April 10, 1923.

AN ACT RELATIVE TO MEDICAL MILK COMMISSIONS.

Chap. 252

Be it enacted, etc., as follows:

SECTION 1. Section twenty of chapter one hundred and eighty of the General Laws is hereby amended by adding at the end thereof the words: — At least one member of said board of health shall be a member of the board of directors thereof, — so as to read as follows: — *Section 20.* For the purpose of supervising the production of milk, any five or more registered physicians may form a corporation under this chapter. The members of the board of health of any town where such corporation is formed shall be ex officio members of the corporation. At least one member of said board of health shall be a member of the board of directors thereof.

G. L. 180, § 20, amended.

Medical milk commissions, incorporation, etc.

SECTION 2. Section twenty-three of said chapter one hundred and eighty is hereby amended by inserting after the word "however," in the fourth line the words: — shall be approved by the department of public health and, — so as to read as fol-

G. L. 180, § 23, amended.

May contract
for production
of milk, etc.

lows: — *Section 23.* Every such corporation may enter into written agreements with any dairymen for the production of milk under the supervision of such corporation and prescribe in such agreements the conditions under which such milk shall be produced, which, however, shall be approved by the department of public health and shall not fall below the standards of purity and quality for certified milk as fixed by the American Association of Medical Milk Commissions and the standards for milk fixed by law.

Approved April 10, 1923.

Chap. 253 AN ACT TO ESTABLISH A TWO YEAR TERM OF OFFICE FOR THE MAYOR OF THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

City of
Holyoke,
mayor, elec-
tion, term of
office, etc.

SECTION 1. At the municipal election to be held in the city of Holyoke in nineteen hundred and twenty-four and in every second year thereafter, there shall be elected a mayor who shall hold office for two years from the first Monday of January next following his election and until his successor is elected and qualified.

Repeal.

SECTION 2. So much of chapter four hundred and thirty-eight of the acts of eighteen hundred and ninety-six and acts in amendment thereof and in addition thereto as is inconsistent herewith is hereby repealed.

To be sub-
mitted to
voters, etc.

SECTION 3. This act shall be submitted for acceptance to the qualified voters of the city of Holyoke at the municipal election held in said city in the year nineteen hundred and twenty-three, in the form of the following question, to be placed upon the official ballot: "Shall an act passed by the general court in the year nineteen hundred and twenty-three, entitled 'An Act to establish a two year term of office for the mayor of the city of Holyoke', be accepted?" and shall take effect if accepted by the affirmative votes of a majority of the voters voting thereon, but not otherwise.

Approved April 10, 1923.

Chap. 254 AN ACT RELATIVE TO THE TAXATION OF DOMESTIC AND FOREIGN BUSINESS CORPORATIONS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 63, new
section after
§ 34.
Taxation of
one or more
domestic or
foreign business
corporations
controlled by a
domestic
business
corporation.

SECTION 1. Chapter sixty-three of the General Laws is hereby amended by inserting after section thirty-four the following new section: — *Section 34A.* If one or more business corporations, whether domestic or foreign, controlled through stock ownership by a domestic business corporation, participated in the filing of a consolidated return of income to the federal government, the tax under section thirty-two may, at the request of the controlling corporation and with the consent of the commissioner, be assessed upon their combined corporate

excess and net income as if all the corporations so participating were domestic business corporations, in which case the tax may be assessed to all said corporations and collected from any one or more of them. In addition to the returns required by sections thirty-five and thirty-six the controlling corporation shall furnish such additional information as the commissioner may require to assess the tax. From the returns and other information furnished by the controlling corporation the commissioner may impose the tax provided in section thirty-two upon the consolidated income and consolidated corporate excess of the corporations participating in the return as though they were a single corporation or may, in such other manner as he shall determine, equitably adjust the tax of the applying corporations. The term "foreign corporations", when used in this section, shall include foreign corporations which do no business in this commonwealth.

Term "foreign corporations", etc., to include, etc.

SECTION 2. Said chapter sixty-three is hereby amended by inserting after section thirty-nine A, inserted by section two of chapter four hundred and ninety-two of the acts of nineteen hundred and twenty-two the following new section: — *Section 39B.* If one or more business corporations, whether domestic or foreign, controlled through stock ownership by a foreign corporation, participated in the filing of a consolidated return of income to the federal government, the tax under section thirty-nine may, at the request of the controlling corporation and with the consent of the commissioner, be assessed upon their combined corporate excess and net income as if all the corporations so participating were foreign corporations as defined in section thirty, in which case the tax may be assessed to all said corporations and collected from any one or more of them. In addition to the returns required by section forty, the controlling corporation shall furnish such additional information as the commissioner may require to assess the tax. From the returns and other information furnished by the controlling corporation, the commissioner may impose the tax provided in section thirty-nine upon the consolidated income and consolidated corporate excess employed within the commonwealth of the corporations participating in the return as though they were a single corporation, or may, in such other manner as he shall determine, equitably adjust the tax of the applying corporations. When used in this section, except as otherwise provided therein, the term "foreign corporations" shall include foreign corporations which do no business in this commonwealth.

G. L. 63, new section after § 39A, etc.

Taxation of one or more domestic or foreign business corporations controlled by a foreign corporation.

Term "foreign corporations", etc., to include, etc.

SECTION 3. Section thirty of said chapter sixty-three, as amended by chapter three hundred and two of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "shall" in the second line the words: — , except as otherwise expressly provided therein, — so that the paragraph included in the first two lines will read as follows: — *Section 30.* When used in this section and sections thirty-one to fifty-two, inclusive, the following terms shall, except as otherwise expressly provided therein, have the following meanings:.

G. L. 63, § 30, etc., amended.

Definitions.

Approved April 11, 1923.

Chap.255 AN ACT RELATIVE TO THE ASSESSMENT OF POLL TAXES AND THE MAKING OF CERTAIN LISTS IN THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

Assessment of
poll taxes and
making of cer-
tain lists in
city of
Brockton.

SECTION 1. In the making of lists under sections four to fourteen, inclusive, of chapter fifty-one of the General Laws, the board of assessors of Brockton, may, with the approval of the mayor, have the assistance of the police department of said city in visiting buildings and residences and performing the duties of assistant assessors in securing the information required by said sections.

Reimbursement
of police de-
partment, etc.

SECTION 2. The said police department shall be reimbursed by the board of assessors for the wages or salaries of such police officers as may be detailed by the city marshal for the performance of the duties described in the preceding section.

To be sub-
mitted to city
council.

SECTION 3. This act shall take effect upon its acceptance by the city council of said city.

Approved April 11, 1923.

Chap.256 AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO PENSION THOMAS J. GIFFORD.

Be it enacted, etc., as follows:

City of New
Bedford may
pension
Thomas J.
Gifford.

SECTION 1. The city of New Bedford may retire Thomas J. Gifford, a veteran of the civil war, employed as its soldiers' aid agent for the past six years, on an annual pension equal to one half his present annual compensation.

To be sub-
mitted to city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 11, 1923.

Chap.257 AN ACT TO INCORPORATE THE FIELDSTON WATER COMPANY.

Be it enacted, etc., as follows:

Fieldston
Water Com-
pany, incor-
porated.

SECTION 1. Joseph P. Spang, Mary T. Spang and Marie F. Spang, their associates and successors, are hereby made a corporation by the name of the Fieldston Water Company, for the purpose of furnishing with water for the extinguishment of fires and for domestic, manufacturing and other purposes, the inhabitants of the town of Marshfield, along the shore in said Marshfield and within the territory that is bounded and described as follows: Beginning at a point at the junction of the Old Beach road extended to the ocean and the ocean, thence bounded by the ocean for a distance of one and one half miles northerly to another point on said beach; thence turning and running westerly to the South river; thence bounded by the South river and running along the southerly bank of said South river to the railroad; thence bounded by said railroad to the junction of the railroad and Ocean street; thence turning and running along said Ocean street to Old Beach road; thence continuing along and bounded by said Old Beach road to the point of beginning at the junction of Old Beach road extended to the

ocean; with all the powers and privileges and subject to all the duties, restrictions, and liabilities set forth in all general laws now or hereafter in force applicable to such corporations.

SECTION 2. The said corporation, for the purposes aforesaid, may lease, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and convey through the above-described territory or any part thereof, the water, so far as may be necessary for said purpose, of any wells, ponds, brooks, springs or streams within said described territory, subject to the approval of the department of public health; and for said purposes may lease, take as aforesaid, or acquire by purchase or otherwise, any real estate within said territory necessary for holding and preserving such water and conveying the same to any part of said territory; and may erect on the land thus acquired proper dams, buildings, fixtures and other structures; and may make excavations, procure and operate machinery, and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works; may construct and lay conduits, pipes and other works, over and under any lands, water-courses, railroads, railways, and public or private ways, and along such ways, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, maintaining and repairing conduits, pipes and other works, and for all other proper purposes of this act, said corporation may dig up any such lands, and, under the direction of the selectmen of the town of Marshfield, enter upon and dig up any such ways, in such manner as to cause the least hindrance to public travel thereon. The said corporation shall not enter upon, construct or lay any pipes, conduits or other works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such railroad corporation, or in case of failure so to agree, as may be approved by the department of public utilities. The rights hereinbefore granted shall apply equally to waters now owned by the persons named in section one of this act, or any of them, and to structures, dams, conduits and other appurtenances now owned by them or any of them.

May take, etc.,
water, etc.

Approval of
department of
public health.
May take, etc.,
real estate, etc.

May construct
conduits, pipes,
etc.

Not to enter
upon railroad
location,
except, etc.

Application of
rights, etc.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from said corporation under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

Damages, how
recovered, etc.

SECTION 4. Said corporation may distribute water through the territory hereinbefore described, or any part thereof, may regulate the use of said water and fix and collect rates to be paid for the same; and may make such contracts with any person or corporation to supply water for the extinguishment of fires, or for such other purposes as may be agreed upon by it and such person or corporation.

May distribute
water, fix rates,
etc.

SECTION 5. The said corporation may, for the purposes set forth in this act, hold real estate not exceeding in value ten

May hold real
estate.

Capital stock. thousand dollars; and the whole capital stock of the said corporation shall not exceed twenty-five thousand dollars, to be divided into shares of one hundred dollars each.

May issue bonds, etc. SECTION 6. The said corporation may issue bonds to an amount not exceeding its capital stock actually paid in and applied to the purposes of the corporation, and secure the same by a mortgage of its franchise and other property.

Penalty for polluting water, etc. SECTION 7. Whoever wilfully or wantonly corrupts, pollutes or diverts any water taken or held under this act, or injures any structure, work or other property owned, held or used by said corporation under authority of this act, shall forfeit and pay to said corporation three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon being convicted of any of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars, or by imprisonment in jail for a term not exceeding one year.

Town of Marshfield may purchase franchise, property, etc. SECTION 8. Supplementary to and in continuation of the power and authority granted to the town of Marshfield under chapter four hundred and five of the acts of nineteen hundred and twenty, or any other power and authority, said town shall have the absolute right at any time during the continuance of the charter hereby granted, to purchase the franchise, property and all the rights and privileges of said corporation on payment to it of the market value of said franchise, corporate property, rights and privileges, as mutually agreed upon or as hereinafter determined, on the date which said town shall fix for such purchase; provided, that said town shall give said corporation written notice of its intention to purchase as aforesaid at least sixty days before said date. If said town and said corporation shall be unable to agree within sixty days after said date upon the market value of said franchise, corporate property, rights and privileges, said town shall appoint one arbitrator and said corporation shall appoint a second arbitrator and the two arbitrators so appointed shall appoint a third arbitrator. Said board of arbitration shall determine the market value of said franchise, corporate property, rights and privileges, and the findings of said board on all matters of fact shall be final. The hearings before said board shall be commenced within thirty days after the date of the appointment of the third arbitrator and concluded within ninety days after his appointment, and the procedure before said board shall be in accordance with the provisions of chapter two hundred and fifty-one of the General Laws, except that the supreme judicial court shall have exclusive jurisdiction in equity to enforce by appropriate orders or decrees, or otherwise, the findings of said board, and the right of said town to take possession of said franchise, corporate property, rights and privileges upon payment to said corporation of the sum awarded by said board.

Proviso.

Determination of market value of franchise, etc., in case of disagreement, etc.

Time of taking effect, etc.

SECTION 9. This act shall take effect upon its passage; but any action thereunder shall be void unless water is actually withdrawn or diverted under authority thereof within three years from the date of its passage. *Approved April 11, 1923.*

AN ACT PROVIDING ALLOWANCES FOR THE BURIAL EXPENSES
OF CERTAIN PERSONS WHO DIED OVERSEAS IN THE SERVICE *Chap. 258*
OF THE UNITED STATES IN THE WORLD WAR.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter three hundred and seventy-eight of the acts of nineteen hundred and twenty-two is hereby amended by inserting after the word "Wars" in the second line the words:— of the United States, — by striking out, in the fourth and fifth lines, the words "of the United States who died in overseas service during the World War" and inserting in place thereof the words:— , or army or navy nurse, of the United States who died in overseas service between April sixth, nineteen hundred and seventeen, and October eighteenth, nineteen hundred and twenty-one, — so as to read as follows:—

1922, 378, § 1,
amended.

Section 1. A post of The American Legion or of the Veterans of Foreign Wars of the United States may be granted an allowance for expenses actually incurred in a military funeral or burial of a soldier, sailor or marine, or army or navy nurse, of the United States who died in overseas service between April sixth, nineteen hundred and seventeen, and October eighteenth, nineteen hundred and twenty-one, not exceeding fifty dollars in each case; provided, that if financial assistance has been received from any public or private source in conducting such funeral or burial, the sum so allowed shall be reduced by the amount of such assistance, and provided further that where two or more such posts jointly conduct or assist in conducting such a funeral or burial the said allowance shall be paid to both posts in such proportions as the commissioner of state aid and pensions approves.

Allowances for
burial expenses
of certain per-
sons who died
overseas in
service of
United States
in World War.

Provisos.

SECTION 2. Section two of said chapter three hundred and seventy-eight is hereby amended by striking out, in the second and third lines, the words "December thirty-first, nineteen hundred and twenty-two" and inserting in place thereof the words:— October first, nineteen hundred and twenty-three, — so as to read as follows:— *Section 2.* Application for such allowance may be made, not later than October first, nineteen hundred and twenty-three, on special forms prepared by said commissioner, to the officials charged with the disbursement of state and military aid for soldiers and sailors and their dependents in the city or town where the post entitled thereto is located. Said officials shall forward the application to the commissioner, who, after examination, shall allow and endorse thereon such amount as he may find to be due such post or posts applying under this act. The amount so allowed shall be paid by the treasurer of the city or town, and the commonwealth shall reimburse such city or town therefor when reimbursing it for payments of state and military aid.

1922, 378, § 2,
amended.

Application for
allowances,
when and to
whom to be
made, etc.

Payment by
cities and towns
and state reim-
bursement
thereof.

Approved April 11, 1923.

Chap.259 AN ACT RELATIVE TO BONDS REQUIRED OF NATIONAL BANKS AS FIDUCIARIES.

Be it enacted, etc., as follows:

G. L. 205, new section after § 6.

Bonds required of national banks acting as fiduciaries, etc.

Chapter two hundred and five of the General Laws is hereby amended by inserting after section six the following new section: — *Section 6A.* No surety shall be required upon bonds filed by national banks, located in this commonwealth and duly permitted to act in a fiduciary capacity, as executor, administrator, administrator with the will annexed, receiver, assignee, guardian, conservator or trustee under a will or instrument creating a trust for the care and management of property, except that the court appointing such a bank as such a fiduciary, other than as trustee, may upon application of an interested person require the bank so appointed to give such security, in addition to the lien or security provided by the laws of the United States, as the court may consider proper, and upon failure of such bank to give the security required may revoke such appointment and remove such bank.

Approved April 11, 1923.

Chap.260 AN ACT AUTHORIZING THE TOWN OF METHUEN TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of Methuen may borrow money for school purposes.

Methuen School Loan, Act of 1923.

SECTION 1. For the purpose of constructing additions to existing school buildings and of purchasing original equipment and furnishings for said additions, the town of Methuen may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Methuen School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 12, 1923.

Chap.261 AN ACT PROVIDING FOR CERTAIN IMPROVEMENTS AT THE NORFOLK COUNTY AGRICULTURAL SCHOOL.

Be it enacted, etc., as follows:

Trustees of Norfolk county agricultural school may expend money for certain improvements.

Loans by Norfolk county commissioners.

SECTION 1. For the purpose of completing the construction of new buildings at the Norfolk county agricultural school, including heating and plumbing plants and other equipment and for the construction of a coal pocket and subway, the trustees of said school are hereby authorized to expend a sum not exceeding thirty-nine thousand dollars.

SECTION 2. For the purposes aforesaid, the county commissioners of said county may from time to time borrow upon the credit of the county such sums as may be necessary, not exceed-

ing, in the aggregate, thirty-nine thousand dollars, and may issue bonds or notes of the county therefor. Each authorized issue shall constitute a separate loan, and such loans shall be payable within eight years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper but not for less than their par value, and the proceeds shall be paid to the trustees of the said school by the treasurer of the county upon their requisitions. Indebtedness incurred hereunder shall be subject to chapter thirty-five of the General Laws.

SECTION 3. This act shall take effect upon its acceptance by the county commissioners of Norfolk county; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 12, 1923.

To be submitted to Norfolk county commissioners. Proviso.

AN ACT TO PROVIDE FOR SITTINGS OF THE SUPERIOR COURT FOR THE HEARING OF JURY WAIVED CASES AT QUINCY IN THE COUNTY OF NORFOLK.

Chap. 262

Be it enacted, etc., as follows:

SECTION 1. Section seventeen of chapter two hundred and twelve of the General Laws is hereby amended by inserting after the word "Haverhill" in the fifth line the following: —, or for Norfolk county from Dedham to Quincy, — so as to read as follows: — *Section 17.* The court may adjourn any established sitting for Bristol county from Taunton or New Bedford to Fall River, or for Plymouth county from Plymouth to Brockton, and for the hearing of jury waived cases may adjourn any established sitting for Essex county from Salem, Lawrence or Newburyport to Haverhill, or for Norfolk county from Dedham to Quincy, in the manner and with the effect of an adjournment to another shire town; and such adjournment shall be subject to all laws relative thereto.

G. L. 212, § 17, amended.

Superior court, adjournment to place other than shire town.

SECTION 2. Chapter three hundred and fifty of the acts of nineteen hundred and twenty-one is hereby repealed.

1921, 350, repealed.

SECTION 3. This act shall take effect upon its acceptance by the county commissioners of the county of Norfolk; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 12, 1923.

To be submitted to Norfolk county commissioners. Proviso.

AN ACT TO AUTHORIZE NOTARIES PUBLIC TO SUMMON WITNESSES IN CERTAIN CASES.

Chap. 263

Be it enacted, etc., as follows:

Section one of chapter two hundred and thirty-three of the General Laws is hereby amended by inserting after the word "record" in the first line the words: —, a notary public, — and by inserting after the word "but" in the fourth line the words: — a notary public, — so as to read as follows: — *Section 1.* A clerk of a court of record, a notary public, a justice of the peace

G. L. 233, § 1, amended.

Witnesses, how summoned.

or a special commissioner may issue summonses for witnesses in all cases pending before courts, magistrates, auditors, referees, arbitrators or other persons authorized to examine witnesses; but a notary public, a justice of the peace or a special commissioner shall not issue summonses for witnesses in criminal cases except upon request of the attorney general, district attorney or other person who acts in the case in behalf of the commonwealth or of the defendant. If the summons is issued at the request of the defendant that fact shall be stated therein. The summons shall be in the form heretofore adopted and commonly used, but may be altered from time to time like other writs.

Approved April 12, 1923.

Chap. 264 AN ACT TO ENABLE THE CITY OF MELROSE TO IMPROVE AND ADAPT CERTAIN OF ITS UNDEVELOPED PARK LANDS LOCATED ON LYNN FELS PARKWAY AND TREMONT STREET TO THE PURPOSE FOR WHICH THEY WERE ACQUIRED BY SAID CITY.

Be it enacted, etc., as follows:

City of Melrose may lease certain of its undeveloped park lands to an association or corporation to be organized for purpose of improving said lands, etc.

Said association or corporation may rent same for athletic contests, etc.

May issue bonds, etc.

May control and manage property, etc.

Profits, how to be used.

Boundaries and description of land, etc.

SECTION 1. The city of Melrose is hereby authorized by and with the consent of its park commission to lease at a nominal rental for a term of not exceeding ninety-nine years certain of its now undeveloped park lands more particularly described in section two of this act to an association or corporation to be organized and maintained by Melrose citizens for the purpose of improving said park lands by constructing and enclosing an athletic field and erecting structures thereon for use in connection with athletics. Such association or corporation may rent the same for athletic contests and may charge or permit a charge for admission thereto, but when not so used shall, subject to reasonable rules and regulations, permit the inhabitants of said city to use the same as a playground; it may issue bonds or other obligations for the purpose of raising funds for such improvement and in all respects, except as herein otherwise provided, may control and manage said property during the term of said lease and from time to time establish rules and regulations governing the use thereof. All profits accruing to said association or corporation from the use and management of said property shall be used for the further development and improvement thereof.

SECTION 2. The land that may be leased as herein authorized consists of about seven acres located north of Lynn Fells parkway and east of Tremont street in said city and is more particularly bounded and described as follows:—Beginning at the northeast corner of Lynn Fells parkway and Tremont street and running northerly by Tremont street, six hundred and ninety-five feet more or less to land of R. J. Munn and brothers; thence running easterly on land of said Munn and brothers, land of DeMar and by Union street, four hundred and fifteen feet more or less to land now or formerly of Conway estate; thence running southerly by said land of Conway estate three hundred and thirty-eight feet more or less to the southwesterly corner of said land of Conway estate and the present park line; thence running

easterly one hundred and five feet more or less on said Conway estate land and along said park line to land of William Magner and the line of the proposed extension of Ashland street; thence running southerly by the proposed extension of Ashland street two hundred feet more or less to Lynn Fells parkway; thence running westerly by Lynn Fells parkway seven hundred feet more or less to the point of beginning.

SECTION 3. So long as said property is used solely for the purposes herein expressed, it shall be exempt from taxation but whenever it shall cease to be so used the said leasehold term shall terminate and said land shall revert to the city of Melrose and any structures thereon shall become its absolute property.

SECTION 4. This act shall take effect upon its acceptance by a vote of the board of aldermen of said city within two years from the date of its passage and the terms of any lease under the authority hereby granted shall be approved by vote of said board.

Approved April 12, 1923.

Exemption from taxation.

Effect of use of property for purposes not expressed herein.

To be submitted to board of aldermen, etc.

Terms of lease to be approved by board, etc.

AN ACT AUTHORIZING THE COUNTY OF PLYMOUTH TO BORROW MONEY FOR CERTAIN IMPROVEMENTS AND ADDITIONS AT THE PLYMOUTH COUNTY HOSPITAL AT SOUTH HANSON.

Chap. 265

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate laundry accommodations and equipment and of making minor improvements, additions and changes at the Plymouth county hospital at South Hanson, the county commissioners of said county may expend a sum not exceeding twenty thousand dollars.

Plymouth county commissioners may expend money for improvements, etc., at Plymouth county hospital at South Hanson.

May borrow money, etc.

SECTION 2. For the purpose aforesaid, the said county commissioners may borrow money on the credit of the county and issue notes of the county therefor to an amount not exceeding twenty thousand dollars. Such notes shall be payable by such annual payments beginning not more than one year after the date thereof as will extinguish each loan within four years from its date. The amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The notes shall be signed by the county treasurer and countersigned by the county commissioners. Each authorized issue shall constitute a separate loan. All sums necessary to meet interest payments on said notes and payments on account of principal as the same mature shall be assessed upon the twenty-six towns and one city of said county constituting the hospital district, in accordance with section eighty-five of chapter one hundred and eleven of the General Laws, as amended by section two of chapter one hundred and thirteen of the acts of nineteen hundred and twenty-three.

Assessments upon towns and city constituting hospital district.

SECTION 3. This act shall take effect upon its acceptance by the county commissioners of the county of Plymouth; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to county commissioners. Proviso.

Approved April 12, 1923.

Chap.266 AN ACT AUTHORIZING CITIES AND TOWNS TO PURCHASE OR TAKE BY EMINENT DOMAIN EASEMENTS OR RIGHTS IN LAND.

Be it enacted, etc., as follows:

G. L. 40, § 14,
etc., amended.

Cities and
towns may
purchase or
take land,
easements and
rights therein,
etc.

Section fourteen of chapter forty of the General Laws, as amended by section seven of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "land" in the fifth line the words: —, easement or right therein, — by inserting after the word "use" in the same line the words: —, including an easement in land adjoining the location of a public way consisting of a right to have the land of the location protected by having the surface of such adjoining land slope from the boundary of the location, — and by inserting after the word "land" in the sixth line the words: —, easement or right therein, — so as to read as follows: — *Section 14.* The aldermen of any city, except Boston, or the selectmen of a town may purchase, or take by eminent domain under chapter seventy-nine, for any municipal purpose any land, easement or right therein within the town not already appropriated to public use, including an easement in land adjoining the location of a public way consisting of a right to have the land of the location protected by having the surface of such adjoining land slope from the boundary of the location; but no land, easement or right therein shall be taken or purchased under this section unless the taking or purchase thereof has previously been authorized by the city council or by vote of the town, nor until an appropriation of money, to be raised by loan or otherwise, has been made for the purpose by a two thirds vote of the city council or by a two thirds vote of the town, and no lot of land shall be purchased for any municipal purpose for a price more than twenty-five per cent in excess of its average assessed valuation during the previous three years.

Approved April 13, 1923.

Chap.267 AN ACT ESTABLISHING A CHILD WELFARE COMMISSION IN THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

City of Holyoke, Child Welfare Commission, establishment, powers, duties, etc.

SECTION 1. For the purpose of conserving the health of infants in the city of Holyoke, there is hereby established in the said city a commission, to be known as the Child Welfare Commission. Said commission shall be appointed in the manner hereinafter provided, and shall consist of six members, two of whom shall be registered physicians and three of whom shall be women. It shall exercise its powers and perform its duties under the direction and control of the mayor of said city. Subject to such direction and control, it may furnish pure modified or whole milk for infants; may provide the same with special formulæ for sick and malnutrition cases; may establish and maintain a milk station and one or more modification laboratories; may advise women who are residents of said city in the care of children; may establish clinics for the examination and weighing of

children; may employ necessary assistants and employees and define the duties of the same and may make such rules and regulations, not inconsistent with this act, as may be necessary for the proper execution of its duties. The said commission shall have no power to provide milk for any child, or to examine or weigh any child, except with the consent of the mother or other person legally having custody or control of such child, and shall have no power to compel adults or children to comply with its advice or instructions. It may establish prices for the milk furnished by it, which shall not exceed the cost thereof.

SECTION 2. The books and records of the said commission shall at all times be open to the inspection of the mayor or board of aldermen. The said commission shall, annually in the month of December, make a detailed report of its doing to the mayor and aldermen.

Inspection of books, etc.

Annual report.

SECTION 3. The mayor of said city, prior to July first, nineteen hundred and twenty-three, shall appoint three members of said commission to serve for one year and three members to serve for two years, from the first Monday of July, nineteen hundred and twenty-three, and thereafter, as the term of any member expires, a successor shall be appointed for two years, and vacancies shall be filled in like manner for unexpired terms. The members of the said commission shall serve without compensation.

Members, appointment, terms, etc.

Vacancies.

No compensation.

SECTION 4. The said commission shall be subject to such of the provisions of chapter four hundred and thirty-eight of the acts of eighteen hundred and ninety-six and all acts in amendment thereof and in addition thereto, as are not inconsistent with this act.

Subject to certain provisions of law.

SECTION 5. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to June fifteenth in the current year.

To be submitted to city council, etc.

Proviso.

Approved April 13, 1923.

AN ACT RELATIVE TO CERTAIN FRESH WATER FISH.

Chap.268

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and thirty of the General Laws is hereby amended by striking out section fifty-eight and inserting in place thereof the following:— *Section 58.* No person shall take pickerel between March first and May first in any year, or have in possession pickerel taken in this commonwealth during said period unless taken by a person lawfully fishing and immediately returned alive to the water whence it was taken, nor shall he at any time buy, sell or offer for sale or have in possession for the purpose of sale any pickerel taken in this commonwealth. Whoever violates any provision of this section shall be punished by a fine of not less than five dollars. The possession of a pickerel during said period shall be prima facie evidence of such unlawful taking.

G. L. 130, § 58, amended.

Close season for pickerel.

Sale, etc., of pickerel taken in this state prohibited. Penalty.

SECTION 2. Chapter one hundred and thirty is hereby further amended by striking out section fifty-nine and inserting in place thereof the following:— *Section 59.* Whoever takes from the

G. L. 130, § 59, amended.

Penalty for taking, etc., short pickerel.

waters of the commonwealth a pickerel less than twelve inches in length or has in possession any such pickerel shall be punished by a fine of one dollar for each pickerel so taken or held in possession; and in prosecutions under this section the possession of pickerel less than twelve inches in length shall be prima facie evidence of such unlawful taking.

G. L. 130, § 61, etc., amended.

SECTION 3. Said chapter one hundred and thirty, as amended in section sixty-one by chapter one hundred and forty-eight of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 61.* No person shall take from any inland waters stocked by the director or his predecessors with white perch since nineteen hundred and ten any white perch between March first and June first in any year or have in possession a white perch so taken between said dates, or buy, sell or offer for sale any white perch taken from the inland waters, so stocked, nor shall he take from the inland waters, so stocked, any white perch less than seven inches in length or have the same in possession, nor shall he take therefrom a total of more than twenty white perch in any one day; provided, that when two or more persons are fishing from the same boat or raft they shall not take more than thirty white perch in the aggregate. This section shall not apply to waters now or hereafter held under lease by the commonwealth or by the commissioner of conservation. Violation of any provision of this section shall be punished by a fine of not more than twenty-five dollars and five dollars additional for every fish so unlawfully taken, bought, sold, offered for sale or had in possession.

Restrictions on taking, sale, etc., of white perch.

Proviso.

Not applicable to certain waters.

Penalty.

G. L. 130, § 78A, etc., amended.

SECTION 4. Said chapter one hundred and thirty is hereby further amended by striking out section seventy-eight A, inserted by chapter one hundred and eighty-eight of the acts of nineteen hundred and twenty-one, and inserting in place thereof the following: — *Section 78A.* No person shall take or have in possession more than six black bass, fifteen pickerel, forty horned pout, forty yellow perch or five wall eyed pike, sometimes called pike perch, taken from the waters of the commonwealth in any one day. Nor shall he take from said waters or have in possession horned pout between March first and June fifteenth in any year or yellow perch between March first and April first in any year, nor shall he at any time buy, sell, offer or expose for sale or have in possession for the purpose of sale a horned pout or yellow perch taken from the waters of the commonwealth. Whoever violates this section shall be punished by a fine of not more than ten dollars for every fish so unlawfully taken, bought, sold, offered for sale or had in possession.

Restrictions on taking, sale, etc., of certain fresh water fish.

Penalty.

Approved April 13, 1923.

Chap. 269 AN ACT RELATIVE TO THE TAKING AND POSSESSION OF TROUT AND TO THE BUYING AND SELLING THEREOF.

Be it enacted, etc., as follows:

G. L. 130, § 49, amended.

Chapter one hundred and thirty of the General Laws is hereby amended by striking out section forty-nine and inserting in place

thereof the following: — *Section 49.* Except as provided in section fifty-two, no person shall at any time buy, sell or offer for sale a trout or take or have in possession trout between August first in any year and April fifteenth of the year following; or have in possession at any time a brook trout less than six inches in length or a rainbow or brown trout less than eight inches in length, unless taken by a person lawfully fishing and immediately returned alive to the water whence it was taken.

Provisions as to taking and possession of trout and to buying and selling thereof.

Approved April 13, 1923.

AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT SUITABLE SHELTERS FOR THE PUBLIC AT THE LYNN SHORE RESERVATION.

Chap.270

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission may construct a shelter or shelters upon the Lynn shore reservation, so-called, either in the town of Nahant or the city of Lynn, and, for that purpose, may expend a sum not exceeding ten thousand dollars out of the Metropolitan Parks Expense Fund.

Metropolitan district commission may construct shelters for public at Lynn shore reservation.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1923.

AN ACT RELATIVE TO THE LOCAL TAXATION OF LAND HELD FOR COUNTY TUBERCULOSIS HOSPITALS.

Chap.271

Whereas, The deferred operation of this act would render it inoperative for the current year, contrary to its intent, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter fifty-eight of the General Laws, as amended in section thirteen by section fifteen of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section thirteen and inserting in place thereof the following: — *Section 13.* In nineteen hundred and twenty-five and in every fifth year thereafter the commissioner shall between April first and June first determine as of April first the fair cash value of all land in every town owned by the commonwealth and used for the purposes of a public institution, a fish hatchery or game preserve, a state military camp ground or a state forest; and he shall between April first and June first in the year nineteen hundred and twenty-three, and in the year nineteen hundred and twenty-five and in every fifth year thereafter, determine as of April first the fair cash value of all land in every town held by county commissioners for hospital purposes under sections seventy-eight to ninety, inclusive, of chapter one hundred and eleven. This determination shall be in such detail as to lots, subdivisions or acreage as the commissioner may deem necessary,

G. L. 58, § 13, etc., amended.

Determination of value of certain state and county lands every five years.

and to assist him in making it he may require oral or written information from any officer or agent of the commonwealth or of any county or town therein and from any other inhabitant thereof, and may require such information to be on oath. Such officers, agents and persons, so far as able, shall furnish the commissioner with the required information in such form as he may indicate, within fifteen days after being so requested by him.

G. L. 58, § 14,
amended.

Notice of
determination
of value to
assessors.

Application for
correction to
board of
appeal, etc.

SECTION 2. Said chapter fifty-eight is hereby further amended by striking out section fourteen and inserting in place thereof the following:— *Section 14.* The commissioner, not later than June tenth of each year in which he makes such determination, shall notify the assessors of each town where the commonwealth owns, or the county commissioners hold, land for the purposes named in the preceding section, of his determination of the value of such land in such town. A board of assessors aggrieved by said determination may, within ten days after the date of the notice, apply for a correction thereof to the board of appeal from decisions of the commissioner of corporations and taxation. Said board shall give a hearing to such assessors not later than July fifteenth following, and shall seasonably notify them and the commissioner of the time and place of the hearing. After the hearing said board of appeal shall notify said board of assessors and the commissioner of its finding as to the value of the land in question, and its decision shall be conclusive.

G. L. 58, § 15,
etc., amended.

Effect of
valuation
determined,
etc.

Valuation of
newly acquired
land.

Proviso.

SECTION 3. Said chapter fifty-eight, as amended in section fifteen by section one of chapter two hundred and eighty-two of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section fifteen and inserting in place thereof the following:— *Section 15.* The valuation determined under the two preceding sections shall be in effect for the purposes of sections seventeen and seventeen A during the year in which such valuation is made and the four succeeding years, and until another valuation is made under sections thirteen and fourteen, except that the valuation of lands held by county commissioners for hospital purposes as set forth in section thirteen, made in nineteen hundred and twenty-three, shall be in effect for the purposes of section seventeen A in said year and in the succeeding year; and except further that whenever land is acquired by the commonwealth or by county commissioners for the purposes set forth in section thirteen the commissioner shall adopt the assessed valuation of said land made in the year last preceding such acquisition, and such assessed valuation shall be the valuation of the land for the purposes of sections seventeen and seventeen A, until a new valuation is made by the commissioner or by the board of appeal under section thirteen or fourteen; provided, that as to land used for a state forest such assessed valuation shall be reduced by deducting therefrom the value of all forest products removed from such land between April first on which it was last assessed and April first in the year for which the reimbursement is to be made, the amount thereof to be certified annually before May first to the commissioner by the state forester.

SECTION 4. Said chapter fifty-eight is hereby further amended by inserting after section seventeen the following new section:—*Section 17A.* The assessors of any town in which county commissioners hold land for the purposes set forth in section thirteen shall assess such land to the county in the annual valuation and tax list at the value determined by the commissioner or the board of appeal under section thirteen or fourteen, or adopted by the commissioner as provided in section fifteen, and at the tax rate of the town for that year. If notification as provided in said section fourteen is not received by the assessors in time to make the assessment in the manner above provided, the land shall be assessed at said value under the provisions of section seventy-five of chapter fifty-nine. The tax bill for land so assessed shall be sent to the county treasurer who shall pay the same from funds available for carrying out the provisions of section eighty-five of said chapter one hundred and eleven, and such payment shall be deemed a part of the cost of hospital maintenance for said year within the meaning of said section eighty-five.

G. L. 58, new section after § 17.

Local taxation of land held for county tuberculosis hospitals.

SECTION 5. This act shall take effect as of March thirty-first, nineteen hundred and twenty-three.

Time of taking effect.

Approved April 14, 1923.

AN ACT AUTHORIZING THE TOWN OF ANDOVER TO INCUR INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES.

Chap. 272

Be it enacted, etc., as follows:

SECTION 1. For the purpose of building a school building in the town of Andover and of purchasing furnishings and original equipment for said building, said town may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, two hundred and thirty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Andover School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Andover may borrow money for schoolhouse purposes.

Andover School Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1923.

AN ACT RELATIVE TO THE CONSTRUCTION OF A SEA WALL, PARK AND ROADWAY ALONG A PORTION OF WESTERN AVENUE IN THE CITY OF GLOUCESTER.

Chap. 273

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter five hundred and two of the acts of nineteen hundred and twenty-two is hereby amended by striking out, in the eighth line, the words "one hundred and seventy" and inserting in place thereof the words:—two hundred and ten,—so as to read as follows:—*Section 1.* The division of waterways and public lands of the department of

1922, 502, § 1, amended.

Division of waterways and public lands,

Essex county and city of Gloucester may construct sea wall, park, etc.

public works, the county of Essex, and the city of Gloucester, are hereby authorized to undertake jointly the construction of a sea wall in Gloucester harbor, and a park and roadway along that portion of Western avenue in the city of Gloucester from Blynman bridge easterly to a point near the Tavern, at an expenditure for the entire project not exceeding the sum of two hundred and ten thousand dollars.

1922, 502, § 3, amended.

SECTION 2. Said chapter five hundred and two is hereby amended by striking out section three and inserting in place thereof the following: — *Section 3.* Upon the completion of the sea wall the city of Gloucester is hereby authorized to expend a sum not exceeding ninety thousand dollars for the payment of land damages and for filling the area between said sea wall and the present location of Western avenue, changing the grade and improving said area for highway and park purposes in accordance with lines and grades that may be established, in accordance with chapter eighty-two of the General Laws.

City of Gloucester may expend money for payment of land damages, etc.

1922, 502, § 7, amended.

SECTION 3. Said chapter five hundred and two is hereby amended by striking out section seven and inserting in place thereof the following: — *Section 7.* For the purpose of paying land damages and the cost of filling authorized by sections one and three, and its share of the cost of the sea wall authorized by sections one and two and of the roadway authorized by sections one and four, the city of Gloucester may borrow from time to time outside the statutory debt limit, such sums as may be necessary therefor, not exceeding, in the aggregate, the sum of one hundred and fifty-five thousand dollars, and may issue bonds or notes therefor. Said bonds or notes shall be payable in not more than ten years from their respective dates, and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws. The proceeds of loans issued by the city shall be paid to the division of waterways and public lands of the department of public works for expenses authorized under section two, to the county treasurer to be applied to loans authorized under section five and shall be applied to meet expenditures authorized under section three.

City of Gloucester may borrow money to meet payments of land damages, etc.

SECTION 4. This act shall take effect upon its passage.

Approved April 14, 1923.

Chap. 274 AN ACT AUTHORIZING THE CITY OF WORCESTER TO INCUR INDEBTEDNESS FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

City of Worcester may borrow money for water supply purposes.

SECTION 1. In order to defray the cost and expenses incident to carrying out the purposes specified in chapter three hundred and fifty-one of the acts of nineteen hundred and two, including payments for lands, water and water rights taken or purchased, as a means of further increasing its water supply, the city of Worcester may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, seven hundred and fifty thousand dollars, in addition to amounts previously authorized to be issued, and may issue bonds or notes therefor,

which shall bear on their face the words, Worcester Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Worcester
Water Loan,
Act of 1923.

SECTION 2. The said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the city and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

Payment of
loan, etc.

SECTION 3. This act shall take effect upon its passage.

Approved April 14, 1923.

AN ACT AUTHORIZING THE TOWN OF RUTLAND TO MAKE AN
ADDITIONAL WATER LOAN.

Chap. 275

Be it enacted, etc., as follows:

SECTION 1. For the purpose of extending its water mains and improving and enlarging its water distribution facilities, the town of Rutland may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Rutland Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of
Rutland may
make an addi-
tional water
loan.

Rutland Water
Loan, Act of
1923.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required by this act, shall, without further vote, be assessed by the assessors of the town annually thereafter in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

Payment of
loan, etc.

SECTION 3. This act shall take effect upon its passage.

Approved April 14, 1923.

Chap.276 AN ACT AUTHORIZING THE TOWN OF WAKEFIELD TO INCUR INDEBTEDNESS FOR SCHOOL HOUSE PURPOSES AND VALIDATING A VOTE OF SAID TOWN PASSED AT ITS ANNUAL MEETING.

Be it enacted, etc., as follows:

Town of Wakefield may borrow money for school purposes.

Wakefield School Loan, Act of 1923.

Vote passed at annual meeting validated.

SECTION 1. For the purpose of constructing an addition to the Greenwood school, the town of Wakefield may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred and ninety-six thousand seven hundred dollars, of which amount one hundred thousand dollars shall be in excess of the statutory limit, and may issue bonds or notes therefor, which shall bear on their face the words, Wakefield School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. The action of the inhabitants of the town of Wakefield at its annual town meeting in nineteen hundred and twenty-three, in voting to borrow one hundred and ninety-six thousand seven hundred dollars to provide money to carry out a vote of said town at said meeting appropriating said sum for the construction of an addition to the Greenwood school, is hereby ratified and confirmed, and shall have the same effect and validity as if section one of this act had been enacted and was in effect prior to said votes.

SECTION 3. This act shall take effect upon its passage.

Approved April 14, 1923.

Chap.277 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE PARENTS OF JOHN JOSEPH KELLEY.

Be it enacted, etc., as follows:

City of Boston may pay sum of money to parents of John Joseph Kelley.

To be submitted to city council, etc. Proviso.

SECTION 1. The city of Boston may pay to John H. Kelley and Mary Kelley, parents of John Joseph Kelley, a minor, upon either or both of said parents being duly appointed by law guardian of said minor, for the benefit of said John Joseph Kelley, the unpaid balance of the total sum which it was authorized to pay them by chapter five hundred and twenty-seven of the acts of nineteen hundred and twenty-two.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 14, 1923.

Chap.278 AN ACT REQUIRING THE INSTALLATION OF STANDPIPES AND OTHER EQUIPMENT IN CERTAIN BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Definitions.

SECTION 1. In this act the following terms shall have the following meanings:

"Fire department connection", connection near the base of a building located not less than ten nor more than forty-two inches above the sidewalk or ground, to which the fire department hose may be attached.

"Fire department standard", the standard prescribed by the fire commissioner of the city of Boston.

"Fire department standpipe", a standpipe of not less than five inches internal diameter for buildings not exceeding ninety feet in height, and not less than six inches internal diameter for buildings of greater height.

"First aid standpipe", a standpipe of not less than two and one half inches internal diameter.

SECTION 2. All buildings hereafter erected in the city of Boston exceeding seventy feet in height and all existing buildings in said city hereafter so altered that the height thereof is increased to over seventy feet shall be provided with such fire department standpipes, first aid standpipes, fire department connections and other fire protection equipment as is hereinafter provided. Each story of such a building shall be provided with not less than one two and one half inch outlet fitted with a two and one half inch gate valve with male end, all fire department standard, located not higher than five feet three inches above the floor; except that unless required by the building commissioner of said city of Boston no two and one half inch outlet need be installed on the ground floor. There shall further be provided on each floor not less than one one and one quarter inch outlet fitted with a one and one quarter inch gate valve, fifty feet of standard one and one quarter inch hose with nozzle with one half inch orifice attached ready for use, and a standard hose rack or reel. Such valve shall be erected not higher than five feet above the floor. Whenever required by said fire commissioner a roof hydrant or monitor nozzle shall be installed, in which event the standpipe upon said roof shall be not less than six inches internal diameter. Said roof hydrant shall consist of two two and one half inch outlets fitted with two and one half inch gate valves with male end, all fire department standard, and not less than fifty feet of standard two and one half inch hose and play pipe properly stored and accessible for use.

Installation of standpipes and other equipment in certain buildings in city of Boston.

Fire department standpipes shall be located so as to afford protection against exterior hazard, as well as protection to the building in which they are placed, and where practicable shall be erected within stair enclosures. The number of fire department standpipes in each building shall be such that all portions of each story of the building may be reached by an effective stream from a standard nozzle installed and attached to hose not exceeding one hundred feet in length, and shall be primarily for the use of the fire department.

Fire department standpipes, location, number, etc.

First aid standpipes shall be of such number that all portions of each story of the building may be reached effectively by a stream from a standard nozzle installed and attached to hose not exceeding fifty feet in length. When in the judgment of the said building commissioner the foregoing requirements as to first aid standpipes are impracticable, separate first aid outlets at

First aid standpipes, number, etc.

Standpipe system to connect with city water main, etc.

Fire department connections.

Standpipes to be subjected to hydrostatic test, etc.

Hose to be tested, etc.

Shutting off water from standpipes during certain months, etc.

Proviso.

To be submitted to city council, etc.

Proviso.

each story may be taken from fire department standpipes and the requirements for first aid standpipes may be so modified by said commissioner. First aid standpipes shall be primarily for use by the occupants of the building. Each standpipe system shall connect with the city water main through one four-inch branch provided exclusively for that purpose. Supplies shall be taken from high service when such is available. A flow test pipe of not less than two inches internal diameter shall be provided on each system. Every building subject to this act shall be provided with suitable fire department connections. When a system is composed of more than one standpipe, cross-connections shall be made so that supply through fire department connections will reach all portions of the system; except that when standpipes are widely separated, precluding the probability of mistake by the fire department, the system may be divided.

All standpipes installed under the provisions of this act shall be subjected to a hydrostatic test of two hundred and fifty pounds and shall be satisfactory to the said building commissioner.

All hose shall be tested in the presence of an inspector from the building department at least once a year, and all defective hose shall be replaced without delay.

When in the judgment of the said fire commissioner it is impracticable to protect standpipes from freezing, he may at his discretion allow water to be shut off from said standpipes from the first day of November in any year until the first day of April next following; provided, however, that a controlling valve is located, arranged, and supervised in a manner satisfactory to said commissioner.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of the city of Boston subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 14, 1923.

Chap. 279 AN ACT AUTHORIZING THE HOME SAVINGS BANK IN THE CITY OF BOSTON TO INVEST AN ADDITIONAL SUM OF MONEY IN REAL ESTATE FOR BANKING PURPOSES.

Be it enacted, etc., as follows:

Home Savings Bank, in city of Boston, may invest additional sum of money in real estate for banking purposes.

Proviso.

The Home Savings Bank, in the city of Boston, incorporated by chapter eighty-two of the acts of eighteen hundred and sixty-nine, may, subject to the approval of the commissioner of banks, invest in the purchase of a suitable site in said city and the erection and preparation of a suitable building thereon to be used in whole or in part for the convenient transaction of its business an amount not exceeding one million five hundred and fifty thousand dollars, in addition to the amount heretofore authorized by law to be invested for the aforesaid purposes; provided, however, that nothing contained herein shall be construed as authorizing a total investment by said bank for the aforesaid purposes exceeding in the aggregate the sum of one million seven hundred and fifty thousand dollars. *Approved April 14, 1923.*

AN ACT PENALIZING CERTAIN ASSAULTS RESULTING IN SERIOUS OR PERMANENT PHYSICAL INJURY. *Chap.280*

Be it enacted, etc., as follows:

Section fourteen of chapter two hundred and sixty-five of the General Laws is hereby amended by inserting after the word "crime" in the fifth line the following: —, or whoever, with intent to maim or disfigure, assaults another person with a dangerous weapon, substance or chemical, and by such assault disfigures, cripples or inflicts serious or permanent physical injury upon such person, and whoever is privy to such intent, or is present and aids in the commission of such crime, — so as to read as follows: — *Section 14.* Whoever, with malicious intent to maim or disfigure, cuts out or maims the tongue, puts out or destroys an eye, cuts or tears off an ear, cuts, slits or mutilates the nose or lip, or cuts off or disables a limb or member, of another person, and whoever is privy to such intent, or is present and aids in the commission of such crime, or whoever, with intent to maim or disfigure, assaults another person with a dangerous weapon, substance or chemical, and by such assault disfigures, cripples or inflicts serious or permanent physical injury upon such person, and whoever is privy to such intent, or is present and aids in the commission of such crime, shall be punished by imprisonment in the state prison for not more than twenty years or by a fine of not more than one thousand dollars and imprisonment in jail for not more than two and one half years.

G. L. 265, § 14, amended.

Penalty for mayhem.

Penalty for certain assaults resulting in serious or permanent physical injury.

Approved April 14, 1923.

AN ACT RELATIVE TO A PROPOSED TUBERCULOSIS HOSPITAL IN MIDDLESEX COUNTY. *Chap.281*

Be it enacted, etc., as follows:

As provided by section eighty-two of chapter one hundred and eleven of the General Laws, as amended by section one of chapter three hundred and ninety-three of the acts of nineteen hundred and twenty-two and section one of chapter one hundred and thirteen of the acts of nineteen hundred and twenty-three, and in accordance with the provisions thereof, the Middlesex county commissioners may borrow on the credit of the county of Middlesex, sums not exceeding, in the aggregate, five thousand dollars, on account of expenses in connection with the proposed tuberculosis hospital for said county. Said sums may be applied by said commissioners in meeting expenses of interest on loans already made and for all other purposes described in said section eighty-two, amended as aforesaid. *Approved April 14, 1923.*

Middlesex county commissioners may borrow money on account of expenses in connection with proposed tuberculosis hospital, etc.

AN ACT RELATIVE TO QUANNAPOWITT PARKWAY.

Chap.282

Be it enacted, etc., as follows:

The time within which the metropolitan district commission may complete the expenditure of the amount authorized by chapter six hundred and ninety-nine of the acts of nineteen hun-

Time within which metropolitan district commission

may complete
expenditure
for Quanna-
powitt parkway
in Wakefield
extended.

dred and twelve for a parkway or boulevard around Lake Quannapowitt in the town of Wakefield is hereby extended to include the year nineteen hundred and twenty-five.

Approved April 14, 1923.

Chap. 283

AN ACT RELATIVE TO UNCOLLECTED TAXES.

Be it enacted, etc., as follows:

G. L. 58, § 8,
etc., amended.

Proceedings
against certain
delinquent tax
collectors.

Abatement of
uncollected
taxes.

Section eight of chapter fifty-eight of the General Laws, as amended by chapter thirty-four of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the second and seventeenth lines, the word "three" and inserting in place thereof in each instance the word: — two, — and by striking out, in the fifth line, the words "one year" and inserting in place thereof the words: — three months, — so as to read as follows: — *Section 8.* Whenever it appears to the commissioner that at the end of two years from the commitment of any warrant to a collector any taxes upon such warrant remain uncollected, or if collected have not been turned over to the town treasurer, the commissioner shall within three months bring the matter to the attention of the attorney general, who may bring or cause to be brought an action of contract in the name of the town against the collector and upon his bond, in the superior court for the county where the town lies. Any amount recovered under this section shall be paid into the treasury of the town in whose name the action is prosecuted; but all reasonable expenses incurred by the attorney general in any such action shall be borne by the town, and may be recovered from it by the commonwealth in contract. If in the opinion of the commissioner any such taxes should be abated, he may at any time after the expiration of said two years authorize the assessors, in writing, to abate any part or the whole of such taxes, either by items or by abatement of a sum total, stated in such written authorization. The assessors may thereupon make the abatement authorized and enter the same in their record of abatements, making reference in said record to such authorization as the cause or reason for the abatement.

Approved April 14, 1923.

Chap. 284 AN ACT RELATIVE TO THE RETIREMENT ALLOWANCES OF SCHOOL JANITORS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1922, 521, § 30,
amended.

Retirement
allowances of
school janitors
in city of
Boston.

SECTION 1. Section thirty of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by inserting after the word "determine" in the second line the words: — , for the purposes of this act and all other retirement acts applicable to school janitors in the city of Boston, — so as to read as follows: — *Section 30.* The school committee of the city of Boston shall determine, for the purposes of this act and all other retirement acts applicable to school janitors in the city of Boston, the regular compensation paid school janitors. Such regular compensation shall be such part

or the whole of the amount paid a school janitor by the city of Boston under the method now used in determining the cost of janitors' services in the public school buildings as is retained by a janitor for his own services as fixed by the school committee.

SECTION 2. This act shall take effect upon its passage.

Approved April 16, 1923.

AN ACT PROHIBITING THE PEDDLING OF COAL OR COKE WITHOUT A LICENSE. Chap. 285

Be it enacted, etc., as follows:

Section seventeen of chapter one hundred and one of the General Laws is hereby amended by inserting after the word "fuel" in the second line the words: — except coal and coke, — so as to read as follows: — *Section 17.* Hawkers and pedlers may sell without a license books, newspapers, pamphlets, fuel except coal and coke, provisions, yeast, ice, live animals, brooms, agricultural implements, hand tools used in making boots and shoes, gas or electric fixtures and appliances, flowering plants and all flowers, fruits, nuts and berries that are uncultivated. The aldermen or selectmen may by regulations, not inconsistent with this chapter, regulate the sale or barter, and the carrying for sale or barter or exposing therefor, by hawkers and pedlers, of said articles without the payment of any fee; may in like manner require hawkers and pedlers of fish, fruit and vegetables to be licensed except as otherwise provided, and may make regulations governing the same, provided that the license fee does not exceed that prescribed by section twenty-two for a license embracing the same territorial limits; and may in like manner affix penalties for violations of such regulations not to exceed the sum of twenty dollars for each such violation. A hawker and pedler of fish, fruit and vegetables licensed under this section need not be licensed under section twenty-two. *Approved April 16, 1923.*

G. L. 101, § 17, amended.

Selling of certain articles by hawkers and pedlers permitted without a license, except, etc.

Proviso.

AN ACT TO AUTHORIZE THE MUTUAL BENEFIT SOCIETY OF HOLY MARY OF CARMINE OF WAKEFIELD, MASS., INCORPORATED, TO HOLD REAL AND PERSONAL PROPERTY. Chap. 286

Be it enacted, etc., as follows:

The corporation known as the Mutual Benefit Society of Holy Mary of Carmine of Wakefield, Mass., Incorporated, situated in the town of Wakefield and incorporated under general law, is hereby authorized to acquire by purchase, gift, grant, devise or bequest, and to hold, manage, mortgage, lease and otherwise dispose of, real or personal estate, to an amount not exceeding twenty-five thousand dollars. All of said property and the income derived therefrom shall be used for the purposes of the said society as set forth in its charter or certificate of incorporation.

Mutual Benefit Society of Holy Mary of Carmine of Wakefield, Mass., Incorporated, may hold real and personal property, etc.

Approved April 16, 1923.

Chap. 287 AN ACT RELATIVE TO INCOME TAXES ON INTEREST FROM CERTAIN LOANS, AND TO INTEREST ON INCOME TAXES AND TO THE ABATEMENT OF SUCH TAXES.

Be it enacted, etc., as follows:

G. L. 62, § 1,
amended.

SECTION 1. Section one of chapter sixty-two of the General Laws is hereby amended by striking out, in the twenty-sixth, twenty-seventh and twenty-eighth lines, the words "loaning money as a business upon the pawn or pledge of tangible personal property" and inserting in place thereof the words: — subject to the provisions of sections seventy to eighty-five, inclusive, of chapter one hundred and forty, — so that clause Fourth of subsection (a) will read as follows: — *Fourth*, Loans made in the course of business by persons subject to the provisions of sections seventy to eighty-five, inclusive, of chapter one hundred and forty.

Income taxes
on interest
from certain
loans.

G. L. 62, § 5,
subsect. (b),
amended.

SECTION 2. Subsection (b) of section five of said chapter sixty-two is hereby amended by striking out, in the tenth and eleventh lines of said subsection, the words "loaning money as a business upon the pawn or pledge of tangible personal property" and inserting in place thereof the words: — subject to the provisions of sections seventy to eighty-five, inclusive, of chapter one hundred and forty, — so as to read as follows: — (b) The excess over two thousand dollars of the income, as defined in section six, derived from professions, employments, trade or business shall be taxed at the rate of one and one half per cent per annum. In determining such income the rental value of living quarters furnished any individual as part of his compensation shall be included. The wages and salaries of employees and officers of the United States government shall not be taxed. Retirement allowances, however described, from the commonwealth or any county, city, town or district thereof, or from any person, if not exempt by law, and interest received in the course of business by persons subject to the provisions of sections seventy to eighty-five, inclusive, of chapter one hundred and forty, shall be taxed under this subsection.

Tax on income
from profes-
sions, business,
etc.

G. L. 62, § 41,
amended.

SECTION 3. Section forty-one of said chapter sixty-two is hereby amended by striking out, in the first and second lines, the words "is not paid within fifteen" and inserting in place thereof the words: — remains unpaid after the expiration of fourteen, — so as to read as follows: — *Section 41*. If a tax assessed under this chapter remains unpaid after the expiration of fourteen days from the date when due, interest at the rate of six per cent per annum from the due date shall be added to and become part of the tax. The commissioner, and the income tax assessors in their respective districts, shall have for the collection of taxes assessed under this chapter all the remedies provided by chapter sixty for the collection of taxes on personal estate by collectors of taxes of towns, and shall be allowed charges and fees as therein provided. Any action of contract brought to recover any such tax shall be brought in the name of the commonwealth.

Collection of
income taxes,
addition of
interest to tax,
when, etc.

Remedies for
collection.

SECTION 4. Section forty-seven of said chapter sixty-two, as amended by section one of chapter one hundred and thirteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the eleventh line the word "thirty" and inserting in place thereof the word: — ten, — so as to read as follows: — *Section 47.* Any person aggrieved by the refusal of the commissioner to abate in whole or in part under section forty-three a tax assessed under this chapter, and who has paid his tax, may, instead of pursuing the remedy provided in section forty-five, appeal from such refusal by filing a complaint against the commissioner in the superior court for the county where such person resides or has his principal place of business, or, if such person claims a domicile without the commonwealth, by filing a complaint against the commissioner in the superior court for any county, within ten days after the notice by the commissioner of his decision in accordance with section forty-three. An order of notice shall be issued by said court and served on the commissioner within such time as the court directs, and subsequent proceedings shall be conducted in accordance with sections sixty-five to sixty-eight, inclusive, of chapter fifty-nine. If an abatement is granted, the amount thereof shall be repaid to the complainant by the state treasurer, with interest at the rate of six per cent per annum from the time when the tax was paid, and costs.

G. L. 62, § 47, etc., amended.

Appeal upon refusal of commissioner of corporations and taxation to abate income taxes, etc.

Repayment of abatement by state treasurer.

Approved April 16, 1923.

AN ACT RELATIVE TO FOREST AND CERTAIN OTHER LANDS UNDER THE SUPERVISION OF THE DEPARTMENT OF CONSERVATION.

Chap. 288

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and thirty-two of the General Laws, as amended in section thirty by chapter one hundred and eighty-five of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 30.* The commissioner, with the approval of the advisory council of the department of conservation, may acquire for the commonwealth, by purchase or otherwise, and hold, or, with the approval of the governor and council, may take in fee by eminent domain under chapter seventy-nine, any woodland or land suitable for timber cultivation within the commonwealth or any land necessary for the erection and operation of forest fire observation towers. The average cost of land so purchased shall not exceed five dollars an acre.

G. L. 132, § 30, etc., amended.

Commissioner of conservation may acquire, take, etc., land suitable for timber cultivation, fire observation towers, etc.

SECTION 2. Section thirty-three of said chapter one hundred and thirty-two, as amended by chapter two hundred and thirty-eight of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "or" in the second line the words: — , with the approval of the governor and council, — and by inserting after the word "domain" in the same line the words: — under chapter seventy-nine, — so as to read as follows: — *Section 33.* In addition to lands acquired under section thirty the commissioner may purchase or, with the approval of the governor and council, take by eminent domain under

G. L. 132, § 33, etc., amended.

Commissioner of conservation may purchase, take, etc.,

additional
lands for state
forests.

Reclamation
by state
forester, etc.

G. L. 132, new
section after
§ 34.

Commissioner
of conservation
may sell, etc.,
certain land,
etc.

May grant
rights of way
for public
highways, etc.

May grant
locations for
certain public
utilities, etc.

Proviso.

Department of
public utilities
may alter, etc.,
locations, etc.

Provisos.

Copies of
grants of
locations, etc.,
to be filed, etc.

chapter seventy-nine and hold for state forests lands within the commonwealth suitable for the production of timber to the extent of not more than one hundred thousand acres. The land shall be purchased before August fifth, nineteen hundred and thirty-five, at a rate not exceeding an average cost of five dollars per acre or at such price as the general court may from time to time determine. The forester shall reclaim the said lands by replanting or otherwise in order to produce timber and to protect the water supply of the commonwealth. The forester may employ temporarily such persons as foresters, assistant foresters, engineers, surveyors, forest fire observers and foremen as he deems necessary to assist him in carrying out his duties under this section, and the employment of such persons shall not be subject to chapter thirty-one.

SECTION 3. Said chapter one hundred and thirty-two is hereby further amended by inserting after section thirty-four the following new section: — *Section 34A.* The commissioner, with the approval of the governor and council, and after a public hearing, may sell or exchange any land acquired by the commonwealth under section ten, thirty or thirty-three, or under chapter three hundred and forty-four of the acts of nineteen hundred and twenty-one, and may in like manner grant rights of way for public highways over any such land, if in his judgment such sale, exchange or grant is advantageous to the commonwealth, and may execute such deeds of conveyance or other papers as may be necessary; and the commissioner may also grant over or across any such lands such locations as shall be found by order of the department of public utilities after public hearing to be required by public necessity or convenience for telephone, telegraph or electric light or power transmission lines, and as in his judgment are necessary and will serve the public interest, and may execute such papers as may be necessary; provided, that no sale or exchange of any land or interest therein acquired by the commonwealth under said section ten or grant either of right of way or location over or across the same shall be made prior to the expiration of the option of repurchase given by said section, unless the holder of the option joins in the sale, exchange or grant.

At the request of the commissioner, and after public hearing, the department of public utilities may by order alter or revoke any such location whenever in its opinion the public interest or the rights of the commonwealth so require; provided, that before so doing notice of said hearing shall be given to the grantee of the location and all persons interested, and provided, further, that the grantee or any person interested in such order may appeal therefrom to the governor and council within fourteen days after the filing of a copy of such order as provided in the following paragraph.

The commissioner within fourteen days after granting any such location shall file a copy of the grant of the same, together with a copy of the order of the department of public utilities that the location is required by public necessity or convenience, in the office of the clerk of the town where the location is granted,

and the department of public utilities shall file in the office of said clerk any order altering or revoking such location, and the clerk of such town shall receive and record the same.

Approved April 17, 1923.

AN ACT AUTHORIZING THE CITY OF BOSTON TO INCUR INDEBTEDNESS FOR THE PURCHASE OF A SITE AND THE ERECTION OF POLICE HEADQUARTERS. Chap. 289

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land in the city of Boston and erecting a police headquarters thereon, said city may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Police Headquarters Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to the laws relative to the incurring of debt by the city of Boston and the issuing of securities evidencing the same.

City of Boston may borrow money for police headquarters.

Police Headquarters Loan, Act of 1923.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved April 17, 1923.

AN ACT RELATIVE TO THE CORPORATE PURPOSES OF CERTAIN ELECTRIC COMPANIES. Chap. 290

Whereas, The deferred operation of this act would defeat its purpose to make immediate provision for the cheapening of the cost of electricity to the producers and users thereof, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter one hundred and sixty-four of the General Laws, as amended by section one of chapter three hundred and fifty-four of the acts of nineteen hundred and twenty-two, is hereby further amended by adding at the end thereof the following: — (f) In case of a corporation organized for the purposes set forth in section nine A, the statement described in said section.

G. L. 164, § 6, etc., amended.

Agreement of association of certain electric companies.

SECTION 2. Said chapter one hundred and sixty-four is hereby amended by inserting after section nine the following new section: — *Section 9A.* An electric company may, in its agreement of association or, in case of a company already organized, at any time and from time to time, by vote of two thirds in amount of all its stockholders at a meeting duly called for the purpose, state that it is organized for, or that thereafter

G. L. 164, new section after § 9.

Corporate purposes of certain electric companies.

its corporate purpose shall be, the generating and buying of electricity and the transmitting and selling of the same to two or more corporations specified in said agreement or vote as engaged in the electric light or electric power business, or both, in this commonwealth or adjoining states, including other purposes incidental thereto. Upon the approval of said statement by the department, such company shall be limited, in respect to its rights and obligations to transmit and sell electricity, to the transmission and sale thereof to the corporations specified as aforesaid upon such terms as the department shall approve; provided, that such corporations become stockholders in said company as hereinafter provided. With the consent of the department and to such extent and upon such terms as it may approve, any corporation specified as aforesaid may subscribe for, acquire, own and dispose of stock, bonds or other securities of such electric company, and may, with the consent of the department and upon such terms as it may prescribe, and in compliance with all provisions of law relative thereto, issue and sell its own stock, bonds or other securities to obtain the capital necessary to acquire the same.

Proviso.

Stock, bonds, etc., of certain electric companies, acquisition, etc., by certain corporations, etc.

G. L. 63, § 55, amended.

Valuation of corporate franchises, certain deductions.

G. L. 181, § 10, not affected.

SECTION 3. Section fifty-five of chapter sixty-three of the General Laws is hereby amended by inserting after the word "situated" in the thirty-third line the following new clause: — *Sixth.* In case of corporations owning stock of an electric company under section nine A of chapter one hundred and sixty-four as thereto authorized by the department of public utilities, the deduction mentioned in paragraph *Fifth* above and the fair cash value, as found by the commissioner, of the stock of such electric companies so owned.

SECTION 4. Nothing in this act shall in any way affect the provisions of section ten of chapter one hundred and eighty-one of the General Laws.

Approved April 18, 1923.

Chap. 291 AN ACT DISPENSING WITH BONDS IN CONNECTION WITH THIRD CLASS LICENSES TO REGISTERED DRUGGISTS.

Emergency preamble.

Whereas, It is necessary that this act take effect prior to the first day of May of the current year if it is to become operative before the year nineteen hundred and twenty-four, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 138, § 43, amended.

Licenses to sell, etc., certain liquors, etc., not to be issued until payment of fee and receipt of bond, except, etc.

Section forty-three of chapter one hundred and thirty-eight of the General Laws is hereby amended by inserting after the word "received" in the third line the words: — , except as to third class licenses, — so as to read as follows: — *Section 43.* A license shall not be issued until the license fee has been paid to the treasurer of the city or town by which it is to be issued, nor until he has received, except as to third class licenses, a satisfactory bond, payable to him as such treasurer, in the sum of five hundred dollars, signed by the licensee and sufficient surety

or sureties, who shall be jointly and severally liable, and conditioned for the payment of all costs, damages and fines which may be incurred by a violation of the provisions of this chapter. Separate actions may be brought on such bond by any person at his own expense. Such bond, after approval, shall be filed in the office of the city or town clerk, and a certified copy thereof shall be admissible in evidence. No such bond shall be accepted or approved until each surety has made and subscribed a statement under oath that he is worth not less than one thousand dollars over and above all liabilities and indebtedness, and the statement so made shall designate sufficient property, real or personal, to cover the requirement of the bond and shall be kept on file with the bond. The bond may be in the following form:

Sureties to
make statement
under oath,
etc.

KNOW ALL MEN BY THESE PRESENTS, that we, A. B., of _____, as principal, and C. D. and E. F. of _____, as sureties, are held and firmly bound unto the treasurer of the city (or town) of _____, in the sum of five hundred dollars, to which payment well and truly to be made we bind ourselves and our legal representatives.

Form of bond

Sealed with our seals this _____ day of _____, A.D. 19 _____.

The condition of this obligation is such, that whereas the above bounden A. B. has this day been licensed by license No. _____, by the aldermen (board of police or licensing board) of the city of (or the selectmen of the town of) _____, in the county of _____, now if the said A. B. shall well and truly comply with all the provisions of law, then this bond shall be void; but otherwise in force.

Executed in presence of _____.

Approved April 18, 1923.

AN ACT AUTHORIZING THE CITY OF WOBURN TO BORROW MONEY FOR SCHOOL PURPOSES.

Chap. 292

Be it enacted, etc., as follows:

SECTION 1. For the purpose of remodeling the Plympton street school building in the city of Woburn and purchasing equipment and furnishings therefor, said city may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, twenty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Woburn School Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be outside the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

City of
Woburn may
borrow money
for school
purposes.

Woburn School
Loan, Act of
1923.

SECTION 2. This act shall take effect upon its passage.

Approved April 18, 1923.

Chap. 293 AN ACT AUTHORIZING THE TOWN OF BILLERICA TO MAKE AN
ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Town of
Billerica may
make an
additional
water loan.

Billerica Water
Loan, Act of
1923.

Payment of
loan, etc.

SECTION 1. For the purpose of extending its water mains and improving its water storage, piping and distributing system, the town of Billerica may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Billerica Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid and to make such payments on the principal as may be required by this act shall, without further vote, be assessed by the assessors of the town annually thereafter in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 18, 1923.

Chap. 294 AN ACT AUTHORIZING DOMESTIC CORPORATIONS, VOLUNTARY
ASSOCIATIONS AND PARTNERSHIPS TO BECOME LIMITED MEM-
BERS OF CREDIT UNIONS.

Be it enacted, etc., as follows:

G. L. 171, new
section after
§ 4.

Corporations,
voluntary
associations and
partnerships
may be limited
members of
credit unions.

SECTION 1. Chapter one hundred and seventy-one of the General Laws is hereby amended by inserting after section four the following new section: — *Section 4A.* A corporation, voluntary association or partnership having a usual place of business within the commonwealth may be a member of a credit union, but the credit union shall make no loans to such members nor shall it receive from such members money in payment for shares or on deposit to such an amount that the total of such payments by all members of the class described in this section shall exceed twenty-five per cent of the assets of the credit union.

G. L. 171, § 5,
amended

SECTION 2. Section five of said chapter one hundred and seventy-one is hereby amended by inserting after the word "authorize" in the fifth line the following new sentence: — Any transactions of a credit union under the foregoing provisions shall be subject to section four A, — so as to read as follows: — *Section 5.* A credit union may receive the savings of its members in payment for shares or on deposit; may lend to its members

Receipt of
deposits and
loans by credit
unions.

at reasonable rates, or invest, as hereinafter provided, the funds so accumulated; and may undertake such other activities relating to the purpose of the association as its by-laws may authorize. Any transactions of a credit union under the foregoing provisions shall be subject to section four A. Section forty-eight of chapter one hundred and seventy shall not apply to credit unions.

SECTION 3. Section six of said chapter one hundred and seventy-one is hereby amended by adding at the end thereof the following: — The by-laws of the credit union shall make proper provision relative to the qualifications necessary for membership of members described in section four A, to the representation of such members on its board of directors and committees, to the eligibility of their officers or members to serve as officers of the credit union and to the voting rights of the members described as aforesaid.

G. L. 171, § 6,
amended.

By-laws of
credit unions.

SECTION 4. Section seventeen of said chapter one hundred and seventy-one, as amended by section five of chapter one hundred and forty-seven of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "invested" in the second line the words: —, subject to section four A, — so as to read as follows: — *Section 17.* The capital, deposits and surplus funds of a credit union shall be invested, subject to section four A, in loans to members, with the approval of the credit committee as provided in the following section; and any capital, deposits or surplus funds in excess of the amount for which loans shall be approved by the credit committee may be deposited in savings banks or trust companies incorporated under the laws of the commonwealth, or in national banks located therein, or may be invested in the bonds of any other credit union, or in any securities which are at the time of their purchase legal investments for savings banks in the commonwealth, or, with the approval of the commissioner, may be deposited in other credit unions or may be invested in the shares of other credit unions or co-operative banks incorporated in the commonwealth; provided, that the total amount invested in the shares of other credit unions or co-operative banks shall not exceed thirty per cent of the capital and surplus, and that not more than twenty per cent shall be invested in the shares of other credit unions, nor more than twenty per cent in co-operative bank shares. Investments, other than loans, shall be made only with the approval of the board of directors.

G. L. 171, § 17,
etc., amended.

Investment of
funds, etc., of
credit unions.

Proviso.

Approved April 18, 1923.

AN ACT TO CONSOLIDATE THE SOMERVILLE HORSE RAILROAD COMPANY AND THE BOSTON ELEVATED RAILWAY COMPANY. Chap. 295

Be it enacted, etc., as follows:

SECTION 1. The Somerville Horse Railroad Company, incorporated under the provisions of chapter two hundred and fifty of the acts of eighteen hundred and fifty-seven, all of the stock of which is now owned by the Boston Elevated Railway

Somerville
Horse Railroad
Company
consolidated
with Boston
Elevated Rail-
way Company.

Company, is hereby merged into and consolidated with the Boston Elevated Railway Company, which company shall have all the property, rights, powers, privileges and franchises and shall assume and pay all the debts and liabilities of said Somerville Horse Railroad Company.

Boston
Elevated Rail-
way Company
may issue
additional stock
or bonds, etc.

SECTION 2. The Boston Elevated Railway Company may, subject to the approval of the department of public utilities, issue additional stock or bonds or both to an amount equal to the value of the property of the Somerville Horse Railroad Company.

When to take
effect.

SECTION 3. This act shall not take effect until accepted by the Boston Elevated Railway Company by vote of its board of directors and by the Somerville Horse Railroad Company by unanimous vote of all of its stockholders and until certificates evidencing such action shall have been filed with the secretary of the commonwealth.

Approved April 18, 1923.

Chap. 296 AN ACT AUTHORIZING CITIES AND TOWNS TO CONTRIBUTE TOWARD THE COST OF STREET RAILWAY SERVICE THEREIN.

Be it enacted, etc., as follows:

G. L. 161, new
section after
§ 160.

Cities and
towns may
contribute
toward cost of
street railway
service therein.

Chapter one hundred and sixty-one of the General Laws is hereby amended by adding at the end thereof the following new section: — *Section 161.* Any city, except Boston, by vote of its city council, and any town by majority vote of the voters thereof present and voting thereon at a town meeting, may, from time to time, for the purpose of avoiding a reduction or discontinuance of service, enter into an agreement with a street railway company operating a street railway therein to pay any part or all of any excess of the cost of the service on the lines of the company operated in such city or town above the amount of the receipts from such lines arising from the rates and fares in effect thereon during the period covered by any such agreement; provided, that no contribution under said agreement shall in any year exceed in such a city the sum of one dollar, or in such a town the sum of two dollars, for each one thousand dollars of the assessed valuation of the year preceding the date of such agreement, and in no event shall it exceed one thousand dollars in any year unless the payment of any such excess is first approved by the department. The department shall, upon application of any city or town agreeing as aforesaid, determine any question relating to the character or extent of the service rendered or facilities furnished in such city or town in pursuance of said agreement, in the event of differences arising between the street railway company and such city or town in relation thereto. Any such city or town may raise by taxation such amounts as may be necessary to carry out the provisions of this section. This section shall not apply to the Boston Elevated Railway Company.

Proviso.

Department of
public utilities
to determine
questions as to
character of
service, when,
etc.

Raising of
money by
taxation, etc.
Not applicable
to Boston
Elevated Rail-
way Company.

Approved April 18, 1923.

AN ACT RELATIVE TO THE INVESTMENTS OF INSURANCE COMPANIES. *(Chap. 297)*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-five of the General Laws, as amended in section sixty-three by section three of chapter two hundred and fifteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section sixty-three and inserting in place thereof the following: — *Section 63.* The capital stock shall be paid in cash within twelve months after the date of the charter or certificate of organization, but no certificates of full shares and no policies shall be issued until the whole capital is paid in. A majority of the directors shall certify on oath that the money has been paid by the stockholders for their respective shares, and that the same is held as the capital of the company, invested and to be invested as required by this section.

G. L. 175, § 63, etc., amended.

Payment of capital of insurance companies.

The capital of any domestic company, other than life, and three fourths of the reserve of any domestic stock or mutual life company, shall be invested only as follows: —

Investment of capital and reserve of insurance companies.

1. In the public funds of the United States or District of Columbia, or of any state of the United States.

In public funds of United States, etc.

2. (a) In the legally authorized bonds or notes of any county, city, town, school or water district in the commonwealth.

In bonds or notes of counties, municipalities, etc.

(b) In the bonds or notes of any county, city, school or water district, or other political subdivision, located in any other state in the United States, and having a population, according to the last national or state census preceding the date of such investment, of more than one hundred thousand inhabitants, provided that such notes or bonds are legally authorized and are a direct obligation of the county, city, school or water district or political subdivision issuing the same.

Proviso.

(c) In the bonds or notes of any county, city, town, school or water district, or other political subdivision, located in any other state of the United States and having an indebtedness, after deducting the amount of its water debt and securities in the sinking funds available for payment of its bonds, not in excess of five per cent of the valuation of property therein as assessed for taxation next preceding the date of such investment, provided that such bonds or notes are legally authorized and are a direct obligation of the county, city, town, school or water district or other political subdivision issuing the same.

Proviso.

3. In securities of the same classes as those described in paragraph one and clauses (b) and (c) of paragraph two, and subject to the limitations therein expressed, issued by the Dominion of Canada or any province thereof, or by any municipality or political subdivision thereof.

In certain securities issued by Dominion of Canada, etc.

4. In the bonds or notes of any railroad or street railway corporation incorporated or located wholly or in part in the commonwealth, or in the mortgage bonds of any railroad corporation located wholly or in part in any state of the United States whose

In bonds or notes of certain railroads and street railways.

capital stock equals at least one third of its funded indebtedness, which has paid regularly for the five years next preceding the date of such investment all interest charges on said funded indebtedness, and which has paid regularly for such period dividends of at least four per cent per annum upon all its issues of capital stock, or in the mortgage bonds of any railroad, railway or terminal corporation which have been, both as to principal and interest, assumed or guaranteed by any such railroad or railway corporation.

In mortgage bonds of certain railroads.

5. In the mortgage bonds of any railroad corporation located wholly or in part in any state of the United States whose liens junior to such mortgage bonds equal at least one third of the funded indebtedness secured by such mortgage bonds and bonds prior thereto which has paid regularly for the five years next preceding the date of such investment all interest charges on the said funded indebtedness, and which has paid regularly for such period at least four per cent interest on such junior securities.

In notes of railroad equipment trust, etc.
Proviso.

6. In the notes of any equipment trust created in behalf of any railroad coming within the terms of paragraph four or five, provided that the plan of such trust, in case of any railroad coming within the terms of paragraph four, includes an initial cash payment of at least twenty-five per cent, and, in case of any railroad coming within the terms of paragraph five, of at least forty per cent, and that such notes mature not later than fifteen years from the date of issue.

In mortgage loans on real estate.

7. In loans upon improved and unencumbered real property in any state of the United States and upon leasehold estates in improved real property for a term of ninety-nine years or more where fifty years or more of the term is unexpired and where unencumbered except by rentals accruing therefrom to the owner of the fee, and where the mortgagee is entitled to be subrogated to all the rights under the leasehold. No loan on such real property or such leasehold estate shall exceed sixty per cent of the fair market value thereof at the time of such loan, and a certificate of the value of such property shall be executed before making such loan by the persons making or authorizing such loan on behalf of the company, which certificate shall be recorded on the books of the company. Real property shall not be deemed to be encumbered within the meaning of this paragraph by reason of the existence of instruments reserving mineral, oil or timber rights, rights of way, sewer rights, rights in walls, nor by reason of building restrictions or other restrictive covenants, nor by the reason that it is subject to lease under which rents or profits are reserved to the owner, provided that the security for such loan is a first lien upon such real property and that there is no condition or right of re-entry or forfeiture under which such lien can be cut off, subordinated or otherwise disturbed.

Proviso.

In real property requisite for transaction of company's business.

8. In such real property as shall be required for the convenient accommodation in the transaction of its business, subject to section sixty-four.

In bonds of American Telephone and Telegraph Company, etc.

9. In bonds of the American Telephone and Telegraph Company and first mortgage bonds of its subsidiary operating companies.

10. In banker's acceptances and bills of exchange of the kinds and maturities made eligible by law for rediscount with federal reserve banks, provided that the same are accepted by a bank or trust company incorporated under the laws of the United States or this commonwealth or any other bank or trust company which is a member of the Federal Reserve System.

In banker's acceptances and bills of exchange, etc. Proviso.

11. In mortgage bonds issued by light and power companies operating in states having commissions or other regulating bodies whose approval is necessary to the issue of such securities, provided that such companies have gross earnings for the preceding year in excess of one million dollars and net earnings, after deducting operating expenses, and taxes but not deducting depreciation charges, of at least twice the interest charges on the bonds in question and all underlying issues, including rentals.

In mortgage bonds issued by light and power companies, etc. Proviso.

12. In loans upon the security of its own policies not exceeding at the time of making the loan the legal reserve on the policy.

In loans upon security of its own policies.

13. In the capital stock of companies organized under the fourteenth clause of section forty-seven; provided that the above specified proportionate part of the reserve of any domestic stock or mutual life company shall not be invested in such capital stock.

In stock of insurance companies organized to do business outside United States.

14. In farm loan bonds lawfully issued by federal land banks incorporated under the act of congress approved July seventeenth, nineteen hundred and sixteen, entitled "An Act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create government depositaries and financial agents for the United States, and for other purposes."

Proviso. In farm loan bonds.

15. In loans secured by collateral security consisting of any of the above.

In loans secured by collateral consisting of any of above.

SECTION 2. Section sixty-five of said chapter one hundred and seventy-five is hereby amended by striking out in the fourth line the word "fifth" and inserting in place thereof the word: — seventh, — so as to read as follows: — *Section 65.* No domestic company shall, except in effecting the sale of real estate owned by it, and then only with the approval of the commissioner, invest any of its funds in loans upon mortgages except upon the conditions expressed in the seventh paragraph of section sixty-three.

G. L. 175, § 65, amended.

Loans on mortgages by domestic insurance companies.

SECTION 3. Said chapter one hundred and seventy-five is hereby further amended by striking out section sixty-six and inserting in place thereof the following: — *Section 66.* Except as hereinbefore authorized, no domestic life company shall invest any of its funds in any unincorporated business or enterprise, or in the stocks or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes, nor shall such life company invest any of its funds in its own stock or in the stock of any other company. No such company shall invest in, acquire or hold directly or indirectly more than ten per cent of the capital stock of any corporation, nor shall more than ten per cent of its

G. L. 175, § 66, amended.

Restrictions upon investments of domestic life insurance companies.

capital and surplus be invested in the stock of any one corporation. No such company shall subscribe to or participate in any underwriting of the purchase or sale of securities or property, or enter into any transaction for such purchase or sale on account of said company jointly with any other person, nor shall any such company enter into any agreement to withhold from sale any of its property, but the disposition of its property shall be at all times within the control of its board of directors.

Certain funds may be invested otherwise, etc.

Proviso.

Nothing in this section or in section sixty-three shall prevent such company from investing or loaning any funds, not required to be invested as provided in section sixty-three, in any manner that the directors may determine; provided, that such funds shall not be invested in the purchase of stock or evidence of indebtedness prohibited by the preceding paragraph, and provided that no loan of such funds shall be made to an individual or firm unless it is secured by collateral security.

Companies may enter into certain agreements, etc.

Nothing in this section or in section sixty-three shall prevent any such life company from entering into an agreement for the purpose of protecting the interests of the company in securities lawfully held by it, or for the purpose of reorganization of a corporation which issued securities so held, and from depositing such securities with a committee or depositaries appointed under such agreement, nor from accepting corporate stock or bonds or other securities which may be distributed pursuant to any such agreement, or to any plan of reorganization; and nothing in this section or section sixty-three shall prevent any such life company from acquiring or holding any property acquired in satisfaction of any debt previously contracted, or that shall be obtained by sale or foreclosure of any security held by it; provided, that if the property owned be such as is prohibited for investment by such company, it shall dispose of such property, if personal, within one year, and if real estate, within five years, from the date when it acquired title to the same, unless the commissioner shall extend the time for such disposition for the reason that the interests of the company will suffer materially by a forced sale of such property.

May acquire property in satisfaction of debt, etc.

Proviso.

Extension of time for disposal of prohibited investments, etc.

A record of such extension shall be made by the commissioner, which shall state the time of the extension, and in that event the sale of said property may be made at any time before the expiration of the time of such extension.

Approved April 20, 1923.

Chap. 298 AN ACT INCREASING THE STATE ALLOWANCE FOR THE FUNERAL EXPENSES OF CERTAIN PAUPERS.

Be it enacted, etc., as follows:

G. L. 117, § 17, amended.

Section seventeen of chapter one hundred and seventeen of the General Laws is hereby amended by striking out, in the tenth line, the word "thirty" and by inserting in place thereof the word: — forty, — by striking out, in the eleventh and twelfth lines, the word "fifteen" and inserting in place thereof the word: — twenty, — and by striking out all after the word "commonwealth" in the thirteenth line and inserting in place thereof the

words: — ; provided, that the overseers shall file with each claim an affidavit of the undertaker stating the total amount of his bill, the amount received from the town and the amount received from all other sources; and provided, further, that if the total expense of the burial, by whomsoever incurred, shall exceed the sum of one hundred dollars, no payment therefor shall be made by the commonwealth, — so as to read as follows:—

Section 17. The overseers of each town shall also relieve and support and may employ all poor persons residing or found therein, having no lawful settlements within the commonwealth, until their removal to the state infirmary, and if they die shall decently bury them. They shall also decently bury all deceased persons who, although without means of support while living, did not apply for public relief, and all unknown persons found dead. The expense thereof may be recovered of their kindred, if any, chargeable by law for their support in the manner provided in this chapter; and if the expense of their burial is not paid by such kindred, an amount not exceeding forty dollars for the funeral expenses of each pauper over twelve years of age, and not exceeding twenty dollars for the funeral expenses of each pauper under that age, shall be paid by the commonwealth; provided, that the overseers shall file with each claim an affidavit of the undertaker stating the total amount of his bill, the amount received from the town and the amount received from all other sources; and provided, further, that if the total expense of the burial, by whomsoever incurred, shall exceed the sum of one hundred dollars, no payment therefor shall be made by the commonwealth.

Support and burial of certain indigent persons.

State allowance for funeral expenses of certain paupers.

Provisos.

Approved April 23, 1923.

AN ACT RELATIVE TO PAYMENT BY CERTAIN TOWNS FOR THE TRANSPORTATION OF PUPILS ATTENDING OUTSIDE VOCATIONAL SCHOOLS AND TO STATE REIMBURSEMENT THEREFOR.

Chap. 299

Be it enacted, etc., as follows:

Chapter seventy-four of the General Laws is hereby amended by inserting after section eight the following new section:—
Section 8A. A town where a person resides who is admitted to the school of another town under section seven, and in which a public high school offering four years of instruction is not maintained, shall, through its school committee, when necessary, provide for the transportation of such person under the same conditions and subject to the same limitations as to cost, and shall be entitled to the same amount of state reimbursement, as is provided in sections six and seven of chapter seventy-one in the case of a person attending a public high school in a town other than that of his residence.

G. L. 74, new section after § 8.

Payment by certain towns for transportation of pupils attending outside vocational schools.

State reimbursement.

Approved April 23, 1923.

AN ACT RELATIVE TO THE FILING WITH THE BUDGET COMMISSIONER BY STATE OFFICIALS AND DEPARTMENTS OF CERTAIN FINANCIAL STATEMENTS AND ESTIMATES.

Chap. 300

Be it enacted, etc., as follows:

Section three of chapter twenty-nine of the General Laws is hereby amended by striking out, in the fifth line, the words

G. L. 29, § 3, amended.

State officials and departments to file with budget commissioner certain financial statements and estimates.

“supervisor of administration” and inserting in place thereof the words: — budget commissioner, — by inserting after the word “thereto” in the ninth line the following: —, and statements showing in detail the revenue and estimated revenue of the office, department or undertaking in his charge for the current fiscal year and his estimate of the revenue from the same or any additional sources for the ensuing fiscal year, with his recommendations as to any changes in the management, practices, rules, regulations or laws governing the office, department or undertaking in his charge which would effect an increase or cause a decrease in revenue from operations, fees, taxes or other sources or which would facilitate its collection, — by striking out, in the tenth line, the word “supervisor” and inserting in place thereof the words: — budget commissioner, — and by striking out the last sentence, — so as to read as follows: —

Section 3. Every officer having charge of any office, department or undertaking which receives an annual appropriation of money from the commonwealth, including annual appropriations to be met by assessments, shall annually, on or before October fifteenth, submit to the budget commissioner statements showing in detail the amounts appropriated for the current fiscal year, and estimates of the amounts required for ordinary maintenance for the ensuing fiscal year, with an explanation of any increased appropriations recommended, and with citations of the statutes relating thereto, and statements showing in detail the revenue and estimated revenue of the office, department or undertaking in his charge for the current fiscal year and his estimate of the revenue from the same or any additional sources for the ensuing fiscal year, with his recommendations as to any changes in the management, practices, rules, regulations or laws governing the office, department or undertaking in his charge which would effect an increase or cause a decrease in revenue from operations, fees, taxes or other sources or which would facilitate its collection, together with any other information required at any time by the budget commissioner. The said estimates shall not include any estimate for any new or special purposes or objects not authorized by statute.

Approved April 23, 1923.

Chap. 301 AN ACT AUTHORIZING THE COMMISSIONER OF CONSERVATION TO RECEIVE REAL AND PERSONAL ESTATE IN TRUST FOR CERTAIN PURPOSES.

Be it enacted, etc., as follows:

G. L. 131, § 69, amended.

SECTION 1. Section sixty-nine of chapter one hundred and thirty-one of the General Laws is hereby amended by striking out, in the second line, the words “or quadrupeds” and inserting in place thereof the words: —, quadrupeds or fish, — and by adding at the end thereof the following: — The commissioner, with the approval of the governor and council, may receive in trust for the commonwealth any grant or devise of land or any gift or bequest of personal property for the purpose of aiding in the propagation and protection of any useful wild birds, quad-

rapeds or fish; provided, however, that unless approved by the general court no obligation shall be imposed on the commonwealth to expend in the carrying out of any trust more than the income of the trust property, or more than the income and principal thereof if by the terms of the trust the principal may be expended. Any such gift or bequest of money or securities shall be transferred forthwith to the state treasurer, who shall administer it as provided by section sixteen of chapter ten, — so as to read as follows: — *Section 69.* For the purpose of protecting any species of useful wild birds, quadrupeds or fish, and for aiding the propagation thereof the commissioner may acquire in fee by purchase, gift or devise, or may lease, or, with the consent of the owners, may control any land, water or shore or the right to use the same, including the right of the public in such land or on such water or shore, as a bird and game preserve. The commissioner, with the approval of the governor and council, may receive in trust for the commonwealth any grant or devise of land or any gift or bequest of personal property for the purpose of aiding in the propagation and protection of any useful wild birds, quadrupeds or fish; provided, however, that unless approved by the general court no obligation shall be imposed on the commonwealth to expend in the carrying out of any trust more than the income of the trust property, or more than the income and principal thereof if by the terms of the trust the principal may be expended. Any such gift or bequest of money or securities shall be transferred forthwith to the state treasurer, who shall administer it as provided by section sixteen of chapter ten.

Commissioner of conservation may acquire, etc., land, etc., for protection of birds, quadrupeds or fish.

May receive real and personal estate in trust, etc.

Proviso.

Gifts of money, etc., to be transferred to state treasurer, etc.

SECTION 2. Chapter ten of the General Laws is hereby amended by striking out section sixteen and inserting in place thereof the following: — *Section 16.* He shall invest, reinvest and hold in the name of the commonwealth any money or securities, or the proceeds thereof, received from the department of education under section three of chapter sixty-nine or from the commissioner of conservation under section sixty-nine of chapter one hundred and thirty-one, and shall disburse the income or principal thereof on the order of the commissioner of the department having charge of the work in aid of which the gift or bequest was made; provided, that no disposition of either income or principal shall be made which is inconsistent with the terms of the trust on which the property is held. He shall be responsible upon his bond for the faithful management of all such property.

G. L. 10, § 16, amended.

State treasurer to invest, etc., trust funds received from department of education and from commissioner of conservation, etc.

Proviso.

SECTION 3. Chapter sixty-nine of the General Laws is hereby amended by striking out section three and inserting in place thereof the following: — *Section 3.* The department of education, in this chapter called the department, may receive, in trust for the commonwealth, any grant or devise of land or any gift or bequest of personal property for educational purposes, and shall forthwith transfer any money or securities so received to the state treasurer, who shall administer the same as provided in section sixteen of chapter ten. *Approved April 23, 1923.*

G. L. 69, § 3, amended.

Department of education may receive real and personal estate in trust, etc.

Transfer to state treasurer of money, etc., so received, etc.

*Chap.*302 AN ACT RELATIVE TO THE ARRANGEMENT ON THE BALLOT OF NAMES OF CANDIDATES FOR WARD AND TOWN COMMITTEES, EXCEPT WARD COMMITTEES IN BOSTON, AND TO THE METHOD OF MARKING BALLOTS FOR SUCH CANDIDATES.

Be it enacted, etc., as follows:

G. L. 53, § 34,
amended.

Primary
ballots,
substance,
arrangement
and form.

SECTION 1. Section thirty-four of chapter fifty-three of the General Laws is hereby amended by inserting after the word "office" in the eighth line the words:— and for ward or town committees, except ward committees in Boston, — and by striking out, in the tenth line, the words "or town committees," and inserting in place thereof the words:— committees in Boston, — so that the first two paragraphs will read as follows:— *Section 34.* At the top of each ballot shall be printed the words "Official ballot of the (here shall follow the party name)". On the back of each ballot when folded shall be printed the same words, followed by the number of the precinct and ward or the name of the town for which the ballot is prepared, the date of the primary and for state or presidential primaries a facsimile of the signature of the state secretary and for city or town primaries a facsimile of the signature of the city or town clerk. Names of candidates for each elective office and for ward or town committees, except ward committees in Boston, shall be arranged alphabetically according to their surnames.

Names of candidates for ward committees in Boston and for delegates to conventions shall be arranged in groups in such order as may be determined by lot, under the direction of the state secretary, who shall notify each state committee and give a representative of each such committee an opportunity to be present. When necessary, groups may be printed on the ballot in two or more columns.

G. L. 53, § 35,
amended.

Primary
ballots, a cross
to constitute a
vote, etc.

SECTION 2. Section thirty-five of said chapter fifty-three is hereby amended by inserting after the word "committees" in the third line the words:— in Boston, — so as to read as follows:— *Section 35.* A cross (X) marked against a name shall constitute a vote for the person so designated. A cross in the circle at the head of a group of candidates for ward committees in Boston or for delegates to a state convention shall count as a vote for each candidate therein. A voter may vote for one or more candidates in any such group by marking a cross against the name of each such candidate, or he may insert another name and mark a cross against it. If he votes for more candidates than the number to be elected, his vote shall not be counted.

Approved April 24, 1923.

*Chap.*303 AN ACT RELATIVE TO THE PURPOSES FOR WHICH CITIES AND TOWNS MAY INCUR DEBT OUTSIDE THE DEBT LIMIT.

Be it enacted, etc., as follows:

G. L. 44, § 8,
etc., amended.

SECTION 1. Section eight of chapter forty-four of the General Laws, as amended by section eleven of chapter four hundred

and eighty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after clause (3) the following new clauses: —

(3a) For the construction of filter beds, standpipes and reservoirs, twenty years.

(3b) For laying and relaying street water mains of six inches or more in diameter, fifteen years.

Purposes for which cities and towns may borrow outside debt limit.

SECTION 2. Section seventeen of said chapter forty-four is hereby amended by striking out, in the eleventh line, the words "and six" and inserting in place thereof the words: — , five A, six and six A, — by striking out, in the thirteenth line, the word "and" and inserting in place thereof the word: — to, — and by inserting after the word "vote", in the sixteenth line, the words: — , if any, — so as to read as follows: — *Section 17.* If a city, town or district votes to issue bonds, notes or certificates of indebtedness in accordance with law, the officers authorized to issue the same may, in the name of such city, town or district, make a temporary loan for a period of not more than one year in anticipation of the money to be derived from the sale of such bonds, notes or certificates of indebtedness, and may issue notes therefor; but the time within which such securities shall become due and payable shall not be extended by reason of the making of such temporary loan beyond the time fixed in the vote authorizing the issue of such bonds, notes or certificates of indebtedness; and notes issued under this section and sections four, five, five A, six and six A for a shorter period than one year may be refunded by the issue of other notes maturing within the required period; provided, that the period from the date of issue of the original loan to the date of maturity of the refunding loan shall be not more than one year; and provided, further, that no notes shall be refunded under this section except under authority of such vote, if any, as is required for the original borrowing.

G. L. 44, § 17, amended.

Cities, towns or districts may make a temporary loan for period not exceeding one year, etc.

Provisos.

SECTION 3. Section eighteen of said chapter forty-four is hereby amended by striking out, in the first line, the word "six" and inserting in place thereof the words: — five A, six, six A, — so as to read as follows: — *Section 18.* Notes issued under section four, five, five A, six, six A or seventeen may be sold at such discount as the treasurer or other officer authorized to sell the same may, with the approval of the officer or officers whose counter-signature is required on said notes, deem proper, the discount to be treated as interest paid in advance.

G. L. 44, § 18, amended.

Discount of certain notes issued by cities, towns, etc.

SECTION 4. Said chapter forty-four is hereby further amended by adding after section sixty-two, added by chapter two hundred and fifty-three of the acts of nineteen hundred and twenty-two, the following new section: — *Section 63.* Whenever the proceeds of the sale of real estate by a city or town exceed five hundred dollars, the same shall be applied to the payment of indebtedness incurred in acquiring such real estate or shall be added to the sinking fund, if any, from which said indebtedness is payable, or if no such indebtedness is outstanding shall be used for any purpose or purposes for which the city or town is authorized to incur debt for a period of ten years or more.

G. L. 44, new section after § 62.

Application of proceeds of certain sales of real estate by cities and towns.

Approved April 24, 1923.

*Chap.*304 AN ACT EXTENDING THE TIME WITHIN WHICH THE TOWN OF TOWNSEND MAY ACCEPT AN ACT AUTHORIZING IT TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER.

Be it enacted, etc., as follows:

1920, 391, § 10,
amended.

Time within
which town of
Townsend may
accept an act
relating to
water supply,
etc., extended.

SECTION 1. Section ten of chapter three hundred and ninety-one of the acts of nineteen hundred and twenty is hereby amended by striking out, in the fourth line, the word "three" and inserting in place thereof the word: — five, — so as to read as follows:— *Section 10.* This act shall take effect upon its acceptance by a majority of the voters of the town of Townsend present and voting thereon at a meeting called for the purpose within five years after its passage; but the number of meetings so called in any one year shall not exceed three; and for the purpose of being submitted to the voters as aforesaid this act shall take effect upon its passage.

SECTION 2. This act shall take effect upon its passage.

Approved April 24, 1923.

*Chap.*305 AN ACT REQUIRING THE CONSENT OF BOTH PARENTS TO THE MARRIAGE OF CERTAIN MINORS.

Be it enacted, etc., as follows:

G. L. 207, § 25,
etc., amended.

Marriage of
certain minors,
how author-
ized, consent of
parents, etc.

SECTION 1. Section twenty-five of chapter two hundred and seven of the General Laws, as amended by chapter ninety-eight of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out all after the word "minor" in the fifth line down to and including the word "the" in the ninth line and inserting in place thereof the words: — , if the parents or surviving parent of such minor, or, if only one such parent resides in the commonwealth, that parent, or, if neither such parent is alive and a resident thereof, a legal guardian, has consented to such order. If a parent has deserted his family, it shall not be necessary to obtain his consent to such order. If a, — so as to read as follows:— *Section 25.* The probate court for the county where, or a district court within the judicial district of which, a minor under the age specified in the preceding section resides may, after hearing, make an order allowing the marriage of such minor, if the parents or surviving parent of such minor, or, if only one such parent resides in the commonwealth, that parent, or, if neither such parent is alive and a resident thereof, a legal guardian, has consented to such order. If a parent has deserted his family, it shall not be necessary to obtain his consent to such order. If a parent whose consent would be required if living in the commonwealth lives outside thereof and the address of such parent is known, such notice of the proceedings shall be given him as the probate or district court may order; but no notice need be given to a parent who has deserted his family. Said court may also after hearing make such order in the case of a person whose age is alleged to exceed that specified in the preceding section, but who is unable to pro-

duce an official record of birth, whereby the reasonable doubt of the clerk or registrar, as exercised under section thirty-five, may be removed. Upon receipt of a certified copy of such order by the clerk or registrar of the town where such minor resides, he shall receive the notice required by law and issue a certificate as in other cases.

SECTION 2. Section thirty-three of said chapter two hundred and seven is hereby amended by inserting after the word "probate" in the sixth line the words: — or district, — so as to read as follows: — *Section 33.* The clerk or registrar shall not issue the certificate under section twenty-eight before the time therein specified, except as otherwise provided; nor to a male under twenty-one, or to a female under eighteen, when he has reasonable cause to believe the person to be under such age, except upon the application or consent in writing of the parent or guardian of such person or by order of the probate or district court under section twenty-five. If there is no parent or guardian in this commonwealth competent to act, a certificate may be issued without such application or consent. *Approved April 24, 1923.*

G. L. 207, § 33, amended.

Certificate of intention of marriage not to be issued to certain minors, etc.

AN ACT AUTHORIZING THE UNION OF THE PROPRIETORS OF THE NORTH MEETING HOUSE IN SALEM WITH THE FIRST CONGREGATIONAL SOCIETY IN SALEM.

Chap. 306

Be it enacted, etc., as follows:

SECTION 1. The Proprietors of the North Meeting House in Salem, duly incorporated by chapter twenty-seven of the acts of eighteen hundred and one, and approved February fifth, eighteen hundred and two, is hereby authorized to unite with the First Congregational Society in Salem, commonly known as the First Church in Salem, duly incorporated by chapter thirty-five of the acts of eighteen hundred and seventeen, as amended by chapter one hundred of the acts of nineteen hundred and four.

Union of The Proprietors of the North Meeting House in Salem with the First Congregational Society in Salem.

SECTION 2. Upon the acceptance of this act by each of said corporations in accordance with law, duly certified copies of such votes of acceptance shall be filed in the Essex registry of deeds for the southern district, and thereupon the persons who are then members of the first named corporation shall be members of said First Congregational Society in Salem which shall thereafter have and enjoy all the franchises, powers and privileges of both of said corporations.

Votes of acceptance to be filed, etc.

SECTION 3. The said First Congregational Society in Salem may, notwithstanding the provisions of its present by-laws, adopt new by-laws and therein determine the time for holding its annual meetings and the number, manner of election and terms of office of its trustees, standing committees and other officers now existing or hereafter to be established by by-law.

Adoption of new by-laws, etc.

SECTION 4. For the purpose of its acceptance, this act shall take effect upon its passage.

Time of taking effect, etc.

Approved April 24, 1923.

*Chap.*307 AN ACT RELATIVE TO THE HUNTING AND POSSESSION OF CERTAIN
WILD BIRDS.

Be it enacted, etc., as follows:

G. L. 131, § 37,
etc., amended.

Hunting, pos-
session, etc., of
swans, wild
geese, brant,
ducks and teal
regulated.

Penalty.

Close season
under federal
law.

G. L. 131, § 39,
amended.

Hunting, pos-
session, etc., of
certain shore
birds regulated.

Penalty.

G. L. 131, § 81,
etc., amended.

SECTION 1. Chapter one hundred and thirty-one of the General Laws, as amended in section thirty-seven by section one of chapter one hundred and seventy-one of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section thirty-seven and inserting in place thereof the following:— *Section 37.* No person, except as provided in sections forty and eighty-two to eighty-nine, inclusive, shall kill or possess a swan at any time, or hunt, pursue, take or kill any other of the anatidae, commonly known as wild geese, brant, ducks and teal, between the hours of sunset and one half hour before sunrise, or in Barnstable, Bristol, Dukes or Nantucket county between January sixteenth and September fifteenth, both dates inclusive, or in any other county between January first and September fifteenth, both dates inclusive, or at any time with a shotgun of over ten gauge or by the use of a rifle, revolver or pistol, or have in possession any of such anatidae or part thereof during the close season. No person shall take or kill more than eight wild geese, eight brant and twenty-five ducks of all kinds in the aggregate in any one day. Violation of any provision of this section shall be punished by a fine of not less than twenty dollars. This section shall not be deemed to permit the hunting, pursuing, taking or killing of any anatidae during the time when the same is forbidden by federal law.

SECTION 2. Said chapter one hundred and thirty-one is hereby further amended by striking out section thirty-nine and inserting in place thereof the following:— *Section 39.* No person, except as provided in sections forty and eighty-nine, shall take or kill in the aggregate more than fifteen winter and summer yellow legs and golden and black-breasted plover in any one day between August sixteenth and November thirtieth, both dates inclusive, nor in the aggregate more than fifty sora rails and twenty-five of all other kinds of rails in any one day between September first and November thirtieth, both dates inclusive, nor in the aggregate more than twenty-five jack or Wilson snipe, coots and gallinules in any one day between September sixteenth and December thirty-first, both dates inclusive; nor shall any person hunt, pursue, take or kill any bird of any of the aforesaid species at any time other than between the dates herein specified for that species; nor between the hours of sunset and one half hour before sunrise, or at any time with a shotgun of over ten gauge or by the use of a rifle, revolver or pistol. Nor shall any person hunt, pursue, take or kill or have in possession any other of the limicolae at any time. Violation of any provision of this section shall be punished by a fine of not less than twenty dollars.

SECTION 3. Section eighty-one of said chapter one hundred and thirty-one, as amended by section two of chapter one hun-

dred and seventy-one of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out the last sentence, — so as to read as follows: — *Section 81.* No person, except as provided in sections forty-six, fifty-two and eighty-two to eighty-nine, inclusive, shall buy, sell, barter, exchange, or in any way deal in or trade with respect to, the dead or living bodies, or any part thereof, of wild birds or game quadrupeds, protected by law in any part of the United States, whenever and wherever taken or killed.

Sale of wild birds and game forbidden, except, etc.

Approved April 24, 1923.

AN ACT RELATIVE TO THE TRANSFER OF CERTAIN LANDS IN EAST BOSTON FROM THE PARK DEPARTMENT TO THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Chap. 308

Be it enacted, etc., as follows:

SECTION 1. The William Amerena playground, formerly Cottage street playground, and the Eagle Hill playground, formerly White street reservoir, in the East Boston district of the city of Boston, shall hereafter be devoted to school purposes and shall be under the control of the school committee of the city of Boston; provided, that the school committee of said city appropriates the sum of fifty thousand dollars to be transferred to its park department to be used in acquiring or developing other land for parks or playgrounds in said East Boston district.

Transfer of certain lands in East Boston from park department to school committee of city of Boston. Proviso.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council and the school committee of the city of Boston.

Approved April 24, 1923.

To be submitted to mayor, city council and school committee.

AN ACT RELATIVE TO THE ERECTION AND MAINTENANCE OF A FIRE ALARM SIGNAL STATION WITHIN THE LIMITS OF THE BACK BAY FENS IN THE CITY OF BOSTON.

Chap. 309

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, acting through its fire department, may erect and maintain a fire alarm signal station within the limits of the Back Bay Fens, if the mayor and city council of said city so determine. The location of said station shall be subject to the approval of the park department of said city.

City of Boston may erect and maintain a fire alarm signal station, etc.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1923.

AN ACT PROVIDING AN ALTERNATIVE METHOD OF DETERMINING THE VALUE OF CORPORATE FRANCHISES OF CERTAIN FOREIGN CORPORATIONS.

Chap. 310

Whereas, The deferred operation of this act would tend to defeat its purpose in that the effective administration of the tax laws requires immediate action under its provisions, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

G. L. 63, new section after § 56.

Alternative method of determining value of corporate franchises of certain foreign telephone companies.

SECTION 1. Chapter sixty-three of the General Laws is hereby amended by inserting after section fifty-six the following new section:— *Section 56A.* A foreign telephone company carrying on part of its business outside of the commonwealth may, within the time when its franchise tax return under this chapter is due to be filed, request determination of the value of its corporate franchise subject to taxation in the commonwealth by a method other than that hereinbefore provided and hereinafter referred to as “the statutory method.” Such a foreign telephone company shall within thirty days thereafter file with the commissioner, under oath of its treasurer, a statement showing in detail the value of its corporate franchise as aforesaid, and such other information as the commissioner shall require for assessment of the tax. The commissioner shall in such case ascertain the value of such franchise as aforesaid and to that end may determine such value by a method other than “the statutory method” but nothing herein contained shall be construed to prevent the application of “the statutory method” in case the commissioner shall deem such method equitable.

Application of act.

SECTION 2. This act shall apply to the taxes assessed as of April first in the year nineteen hundred and twenty-three and each year thereafter.

Approved April 26, 1923.

Chap. 311 AN ACT RELATIVE TO THE REIMBURSEMENT OF CITIES AND TOWNS BY THE COMMONWEALTH FOR MONEY EXPENDED IN SUPPRESSING GYPSY OR BROWN TAIL MOTHS.

Emergency preamble.

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 132, § 14, amended.

Section fourteen of chapter one hundred and thirty-two of the General Laws is hereby amended by striking out, in the twenty-fifth line, the words “state auditor” and inserting in place thereof the word:— comptroller, — and by striking out, in the twenty-ninth line, the words “state auditor” and inserting in place thereof the following:— comptroller, nor unless said expenditure shall have been duly authorized and approved by the forester or shall have been made prior to December first, nineteen hundred and twenty-two, — so that the paragraph included in lines twenty-four to twenty-nine, inclusive, of said section will read as follows:— No city or town shall be entitled to any reimbursement from the commonwealth until it has submitted to the comptroller itemized accounts and vouchers showing the definite amount expended by it for the purpose of suppressing said moths, nor shall any money be paid out of the state treasury to cities or towns until said vouchers and accounts have been approved by the forester and the comptroller, nor unless

State reimbursement of cities and towns for money expended in suppressing gypsy or brown tail moths.

said expenditure shall have been duly authorized and approved by the forester or shall have been made prior to December first, nineteen hundred and twenty-two. *Approved April 26, 1923.*

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONSTRUCT A SEWER IN THE TOWN OF DEDHAM. Chap.312

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may construct and maintain a sanitary sewer in and under East street in the town of Dedham between a point at or near the junction of Curve street and East street in said Dedham, near the present location of the metropolitan sewer on East street, and the dividing line between said city and said town, for a distance of thirty-two linear feet, more or less, with a twenty-four inch double strength pipe and for a distance of thirteen hundred linear feet, more or less, with two foot, nine inch, circular concrete sanitary sewer or its equivalent.

City of Boston may construct a sewer in town of Dedham.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1923.

AN ACT RELATIVE TO THE PROTECTION OF HIGHWAY BRIDGES FROM HEAVY LOADS. Chap.313

Be it enacted, etc., as follows:

SECTION 1. Chapter eighty-five of the General Laws is hereby amended by striking out section thirty-four and inserting in place thereof the following: — *Section 34.* Except as otherwise provided in the following section, the division, person or local authorities having control of any bridge on any road may maintain notices at each end of such bridge legible at a distance of fifty feet, stating the maximum weight of vehicle with load which the bridge will safely carry to be six tons or over.

G. L. 85, § 34, amended.

Protection of highway bridges from heavy loads.

SECTION 2. Said chapter eighty-five is hereby further amended by adding at the end thereof the following new section: — *Section 35.* No bridge on a public highway having a span in excess of ten feet, except a bridge constructed under the provisions of chapter one hundred and fifty-nine, shall be constructed or reconstructed by any county or town except in accordance with plans and specifications therefor approved by the division. Said division shall approve or alter to meet its approval all such plans submitted to it and shall determine the maximum load which any such bridge may safely carry, and the division or the local authorities having control of such bridge may maintain notices at each end thereof, legible at a distance of fifty feet, stating the maximum weight of vehicle with load which the bridge will safely carry. The owner of a vehicle operated on any bridge posted under this or the preceding section shall be responsible for all damage resulting thereto if the weight of the vehicle and load exceeds the maximum load as posted under this or the preceding section, as the case may be, and the amount of the damage may be recovered in an action at law by the person or authorities charged with the maintenance of the bridge.

G. L. 85, new section after § 34.

Division of highways to approve plans, etc., of certain highway bridges.

To determine maximum load, etc.

Responsibility of owners of vehicles, etc.

Penalty.

Any person operating a vehicle, the weight of which with its load exceeds the maximum weight as posted under this or the preceding section, that causes damage to a bridge so posted shall be punished by a fine of not more than two hundred dollars.

Approved April 26, 1923.

*Chap.*314 AN ACT ESTABLISHING THE OFFICE OF SECOND ASSISTANT CLERK FOR THE MUNICIPAL COURT OF THE WEST ROXBURY DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. 218, § 10,
etc., amended

SECTION 1. Chapter two hundred and eighteen of the General Laws, as amended in section ten by section one of chapter two hundred and eighty-seven of the acts of nineteen hundred and twenty-one, by section one of chapter sixty-three of the acts of nineteen hundred and twenty-two and by section four of chapter one hundred and sixty-four of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section ten and inserting in place thereof the following:

District courts,
assistant clerks,
appointment,
etc.

— *Section 10.* The clerk of a district court may, subject to the approval of the justice, appoint one or more assistant clerks, who shall be removable at his pleasure or at the pleasure of the court, for whose official acts the clerk shall be responsible and who shall be paid by him unless salaries payable by the county are authorized in this section or in section fifty-three. Assistant clerks with salaries payable by the county may be appointed in the central district court of northern Essex, the municipal court of the Charlestown district, the district court of western Hampden, and in courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more. Second assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the East Boston district court, the municipal court of the Charlestown district, the municipal court of the West Roxbury district, and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex, the third district court of eastern Middlesex and the district court of southern Essex.

Second as-
sistant clerks,
appointment,
etc.

To be sub-
mitted to
Boston city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 26, 1923.

*Chap.*315 AN ACT AUTHORIZING THE CORPORATION OF THE MEMBERS OF THE CATHOLIC ASSOCIATION OF LOWELL, MASS., TO HOLD ADDITIONAL REAL ESTATE.

Be it enacted, etc., as follows:

1916, §3 (S), § 1,
amended.

SECTION 1. Section one of chapter eighty-three of the Special Acts of nineteen hundred and sixteen is hereby amended by striking out, in the fourth line, the word "fifty" and inserting in place thereof the words: — one hundred, — so as to read as

follows: — *Section 1.* The Corporation of the Members of the Catholic Association of Lowell, Mass., a fraternal benefit society, is hereby authorized to hold real estate to an amount not exceeding one hundred thousand dollars, and to invest an amount not exceeding twenty per cent of its death fund in the same.

The Corporation of the Members of the Catholic Association of Lowell, Mass., may hold additional real estate.

SECTION 2. This act shall take effect upon its passage.

Approved April 30, 1923.

AN ACT VALIDATING CERTAIN ACTS AND PROCEEDINGS OF THE TOWN OF SOUTH HADLEY AND OF ITS OFFICERS.

Chap. 316

Be it enacted, etc., as follows:

SECTION 1. All town elections and meetings in the town of South Hadley and all other acts and proceedings of said town and of its officers between January first, nineteen hundred and twenty and the time this act takes effect, so far as said elections, meetings, acts or proceedings were invalid by reason of the failure of said town legally to conduct its annual town elections and meetings, or either of them, in accordance with section twenty of chapter thirty-nine of the General Laws, are hereby validated and confirmed.

Certain acts and proceedings of town of Hadley and of its officers validated.

SECTION 2. Said town is hereby authorized, until it votes otherwise, to hold its annual meeting and annual election of town officers on the same day, namely, the third Monday of March in each year.

May hold annual meeting and annual election of town officers on same day, etc.

SECTION 3. This act shall take effect upon its passage.

Approved April 30, 1923.

AN ACT AUTHORIZING THE CITY OF FITCHBURG TO BORROW MONEY FOR BUILDING PURPOSES.

Chap. 317

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing in the city of Fitchburg, and originally equipping and furnishing, a municipal garage, a city stable and other buildings for the use of the city department of public works, said city may borrow, from time to time, such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Fitchburg Building Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

City of Fitchburg may borrow money for building purposes.

Fitchburg Building Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved April 30, 1923.

AN ACT AUTHORIZING THE TOWN OF NORWOOD TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Chap. 318

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and constructing a new school building or for constructing additions to

Town of Norwood may borrow money

for school
purposes.

Norwood
School Loan,
Act of 1923.

school buildings where such additions increase the floor space, and for the purchase of original equipment and furnishings for such building or such additions, the town of Norwood may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Norwood School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 30, 1923.

Chap.319 AN ACT AUTHORIZING THE TOWN OF BELMONT TO BORROW
MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of
Belmont may
borrow money
for school
purposes.

Belmont
Grade School
Loan, Act of
1923.

SECTION 1. For the purpose of constructing, furnishing and equipping a new grade school building in the town of Belmont, said town may borrow, from time to time, such sums as may be necessary, not exceeding, in the aggregate, one hundred seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Belmont Grade School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 30, 1923.

Chap.320 AN ACT FURTHER EXTENDING THE TIME OF SERVICE OF THE
SPECIAL COMMISSION ON THE NECESSARIES OF LIFE.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Special com-
mission on the
necessaries of
life, term of
service ex-
tended, powers,
duties, etc.

SECTION 1. The term of service of the special commission on the necessities of life, appointed under chapter three hundred and twenty-five of the acts of nineteen hundred and twenty-one, as extended until May first, nineteen hundred and twenty-three by section one of chapter three hundred and forty-three of the acts of nineteen hundred and twenty-two, is hereby further extended until May first, nineteen hundred and twenty-four, and during the term hereby extended the commission shall have all the powers and duties granted and imposed by said chapter three hundred and twenty-five; provided, that the governor, with the advice and consent of the council, may, at any time

Proviso.

during said period of extended service provided for herein, change the personnel of said commission in whole or in part.

SECTION 2. The unexpended balances of any appropriations heretofore made for the use of said commission are hereby made available for the purposes of said commission during the extended term provided for herein, and said commission, from such balances and from such additional appropriations as may be made by the general court, may expend such sums as shall be approved by the governor and council. Said commission shall make a report to the general court, not later than the second Wednesday of January, nineteen hundred and twenty-four.

Unexpended balances of certain appropriations made available, etc.

Report to general court.

Approved April 30, 1923.

AN ACT RELATIVE TO THE SALE OF REAL ESTATE UNDER LICENSE OF THE PROBATE COURT.

Chap. 321

Be it enacted, etc., as follows:

Section nineteen of chapter two hundred and two of the General Laws is hereby amended by striking out, in the second and third lines, the words “, unless the will otherwise provides,” by striking out, in the eleventh line, the words “, for the purpose of distribution” and by striking out, in the fifteenth and sixteenth lines, the words “, subject to the laws governing the distribution of the personal estate of the deceased, be distributed to the” and inserting in place thereof the words: — be paid over to the person or, — so as to read as follows: — *Section 19.* The probate court may, upon petition of an administrator, administrator with the will annexed, or executor filed within one year after the date of the giving of the executor’s or administrator’s bond, or, if an administrator de bonis non shall be appointed within one year after the date of the original appointment of the executor or administrator, then within six months after the date of the giving of a bond by such administrator de bonis non, with the consent of all parties interested or after notice, license him to sell the whole or any part of the real estate or any undivided interest therein belonging to the estate of the deceased, in such manner and upon such notice as the court orders; and the net proceeds of such sale, after deducting the expenses thereof and such amount as may be required for the payment of debts, legacies and charges of administration, in consequence of a deficiency in the personal property, shall be paid over to the person or persons who would have been entitled to such real estate and in the proportions to which they would have been entitled had it not been sold. Before any such license shall be issued, the petitioner shall file in the probate court an affidavit containing the names of all persons known to him as having or claiming any interest in said real estate derived from any deed of conveyance or mortgage by, through or under any of the heirs or devisees, and if it appears that there are any such persons, they shall be made parties to the proceedings, and notified in such manner as the court orders.

G. L. 202, § 19, amended.

Sale of real estate by administrator, etc., under license of probate court.

Disposition of proceeds.

Affidavit containing names of claimants, etc., to be filed, etc.

Approved April 30, 1923.

*Chap.*322 AN ACT INCREASING THE SALARIES OF COURT OFFICERS FOR CERTAIN DISTRICT COURTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. 218, § 83,
etc., amended.

SECTION 1. Chapter two hundred and eighteen of the General Laws, as amended in section eighty-three by section one of chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section eighty-three and inserting in place thereof the following: — *Section 83.* The salaries of court officers in the following courts shall be as follows: —

Salaries of
court officers in
district courts.

Municipal court of the Brighton district, fifteen hundred dollars.

Municipal court of the Charlestown district, two thousand dollars.

Municipal court of the Dorchester district, two thousand dollars.

East Boston district court, two thousand dollars.

Municipal court of the Roxbury district, two thousand dollars.

Municipal court of the South Boston district, two thousand dollars.

Municipal court of the West Roxbury district, two thousand dollars.

Court officers in other district courts, except the municipal court of the city of Boston, shall receive salaries to be fixed by the justice, subject to the approval of the county commissioners, payable upon vouchers approved by the justice and the county commissioners.

To be sub-
mitted to
Boston city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 30, 1923.

*Chap.*323 AN ACT PROVIDING FOR AN EIGHTH ASSISTANT CLERK OF THE MUNICIPAL COURT OF THE CITY OF BOSTON FOR CRIMINAL BUSINESS.

Be it enacted, etc., as follows:

G. L. 218, § 53,
etc., amended.

SECTION 1. Section fifty-three of chapter two hundred and eighteen of the General Laws, as amended by section one of chapter three hundred and nine of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the first line, the word "seven" and inserting in place thereof the word: — eight, — so as to read as follows: — *Section 53.* There shall be a clerk and eight assistant clerks of said court for criminal business, and a clerk and eight assistant clerks of said court for civil business. The assistant clerks shall be appointed by the clerk, respectively, subject to the approval of the justices or a majority of them, and the clerk shall be responsible for the doings of their assistants, and may remove them at pleasure.

Municipal
court of the
city of Boston,
clerk and as-
sistant clerks.

The salaries of said assistant clerks shall be payable by the county.

SECTION 2. Said chapter two hundred and eighteen, as amended in section seventy-five by section two of chapter two hundred and eighty-four of the acts of nineteen hundred and twenty-one and by section two of chapter three hundred and nine of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section seventy-five and inserting in place thereof the following:— *Section 75.* The salary of the chief justice of the municipal court of the city of Boston shall be eighty-five hundred dollars, and the salary of each of the associate justices shall be eight thousand dollars; provided, that any chief justice or associate justice appointed before June fourth, nineteen hundred and twenty, who has not accepted the increase in salary provided by chapter six hundred and fourteen of the acts of nineteen hundred and twenty shall receive annually two thousand dollars less than the salaries above provided for. The salaries of the clerks and assistant clerks of said court, for civil and for criminal business, shall be as follows: clerks, five thousand dollars each; first assistant clerks, thirty-five hundred dollars each; second assistant clerks, three thousand dollars each; third and fourth assistant clerks, twenty-nine hundred dollars each; fifth, sixth, seventh and eighth assistant clerks, twenty-four hundred dollars each.

G. L. 218, § 75, etc., amended.

Municipal court of the city of Boston, salaries.

Proviso.

The salary of the messenger of said court shall be twenty-six hundred dollars.

The salary of the chief court officer of the municipal court of the city of Boston for criminal business shall be twenty-eight hundred dollars and the salary of each of the other court officers in attendance at the civil and criminal sessions of said court, twenty-four hundred and eighty-four dollars.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved April 30, 1923.

AN ACT AUTHORIZING THE APPOINTMENT OF ADDITIONAL COURT OFFICERS FOR ATTENDANCE UPON CERTAIN COURTS IN MIDDLESEX COUNTY.

Chap. 324

Be it enacted, etc., as follows:

SECTION 1. Section seventy of chapter two hundred and twenty-one of the General Laws is hereby amended by striking out, in the tenth line, the word "eight" and inserting in place thereof the word:— twelve, — so as to read as follows:— *Section 70.* The sheriffs of Suffolk, Middlesex and Worcester counties may each appoint, subject to the approval of the justices of the superior court, officers for attendance upon the several sessions of the superior court in their respective counties, as follows:

G. L. 221, § 70, amended.

Court officers in certain counties, appointment, etc.

For Suffolk, not exceeding four for each session for civil business held with juries; three for each session held without juries;

and six for the session for criminal business; said officers shall be interchanged between the several sessions so as to secure as nearly as may be equal service by all.

For Middlesex, twelve for civil or criminal business, who shall, when required by the sheriff, attend the sessions of the supreme judicial or probate court when not in attendance on the superior court.

For Worcester, for civil or criminal business, such number as may be necessary, who shall also attend upon the sessions of the supreme judicial, probate and insolvency and land courts.

To give bond.

Authority, etc.

Each of said officers shall give to the sheriff appointing him a bond with sufficient sureties, in the sum of fifteen hundred dollars, for the faithful performance of his duties. They shall have the authority of constables to serve venire for jurors and the processes of said courts, and in Worcester county to summon witnesses; and they shall be paid by the county their actual expenses necessarily incurred in making such services.

To be submitted to Middlesex county commissioners.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of Middlesex county; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 30, 1923.

Chap.325 AN ACT RELATIVE TO SITTINGS OF THE PROBATE COURT IN BERKSHIRE COUNTY.

Be it enacted, etc., as follows:

G. L. 215, § 62,
etc., amended.

Sittings of probate court in Berkshire county.

SECTION 1. Section sixty-two of chapter two hundred and fifteen of the General Laws, as amended by chapters forty-one and two hundred and fifty-seven of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out the paragraph contained in lines six to fourteen, inclusive, and inserting in place thereof the following: — Berkshire, at Pittsfield, the first Tuesday of each month except August and November, and the Wednesday next after the first Monday of November; at Great Barrington, the third Tuesdays of February, March, September and December; at Adams, the third Tuesdays of May, July and October; at North Adams, the third Tuesdays of January, April, June and November.

Time of taking effect.

SECTION 2. This act shall take effect January first, nineteen hundred and twenty-four.

Approved April 30, 1923.

Chap.326 AN ACT FIXING THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF NANTUCKET.

Be it enacted, etc., as follows:

G. L. 218, § 77,
amended.

Salaries of justices of district courts of Dukes and Nantucket counties.

SECTION 1. Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section seventy-seven and inserting in place thereof the following: — *Section 77.* The salaries of the justices of the district courts of Dukes County and of Nantucket shall be, respectively, one thousand and twelve hundred dollars.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of the county of Nantucket; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to Nantucket county commissioners. Proviso.

Approved April 30, 1923.

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO DISPOSE OF SEWAGE FROM A PART OF THE TOWN OF ACUSHNET, AND THE TOWN OF ACUSHNET TO DISPOSE OF SEWAGE FROM A PART OF THE CITY OF NEW BEDFORD.

Chap.327

Be it enacted, etc., as follows:

SECTION 1. The city of New Bedford may allow the town of Acushnet to connect sewers or drains that may be built in that part of said town where the topography renders said city the natural drainage point for the same, with the sewer system of said city in a manner approved by the proper officials of said city and may charge for this service such amount as shall be agreed upon by said city and town.

City of New Bedford may dispose of sewage from part of town of Acushnet.

SECTION 2. The town of Acushnet may allow the city of New Bedford to connect sewers or drains that may be built in that part of said city where the topography renders said town the natural drainage point for the same, with the sewer system of said town in the manner approved by the proper officials of said town and may charge for this service such amount as shall be agreed upon by said city and town.

Town of Acushnet may dispose of sewage from part of city of New Bedford.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of said city in accordance with the provisions of its charter and by vote of said town; provided, that such acceptances occur prior to December thirty-first in the current year. For the purpose of acceptance under this section, this act shall take effect upon its passage.

To be submitted to city council of New Bedford and voters of Acushnet. Proviso.

Approved April 30, 1923.

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PAY ANNUITIES TO THE WIDOWS OF CERTAIN FIREMEN KILLED IN THE PERFORMANCE OF THEIR DUTY.

Chap.328

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge may pay in equal monthly instalments to the widow of James H. Furfey, of James M. Collins and of James T. McCabe, former members of its fire department who were killed while in the performance of their duty, an annuity not to exceed five hundred dollars in each case. Any such annuity shall terminate upon the remarriage of the annuitant.

City of Cambridge may pay annuities to widows of certain firemen, etc.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved April 30, 1923.

Chap.329 AN ACT RELATIVE TO THE DISPOSITION OF FORFEITED LIQUORS AND VESSELS.

Be it enacted, etc., as follows:

G. L. 138, § 69,
amended.

Disposition of
forfeited
liquors and
vessels.

Proviso.

Disposition of
proceeds of
sales.
Fees for cer-
tain officers.

Chapter one hundred and thirty-eight of the General Laws is hereby amended by striking out section sixty-nine and inserting in place thereof the following: — *Section 69.* Any liquor and vessels so forfeited shall, by authority of the written order of the court or trial justice, be forwarded to the commissioner of public safety, who upon receipt of the same shall notify said court or justice thereof. If, in the judgment of the commissioner, it is for the best interests of the commonwealth that such liquor and vessels be destroyed, he shall destroy or cause the destruction of such liquor and vessels, but if, in his judgment it is for the best interests of the commonwealth to sell the same, he shall cause the same to be sold, or he may deliver such liquor to any department or agency of the commonwealth for medical, mechanical or scientific uses; provided, that such sale or delivery shall be in accordance with and subject to such federal laws and regulations as may be applicable. The proceeds of such sales shall be paid into the treasury of the commonwealth. The officer who serves said order of the court or justice shall be allowed therefor fifty cents, but shall not be entitled to receive any traveling fees or mileage on account of the service thereof.

Approved April 30, 1923.

Chap.330 AN ACT ESTABLISHING THE SALARY OF THE COMMISSIONER OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

G. L. 22, § 2,
amended.

Commissioner
of public
safety, ap-
pointment,
salary, etc.

Time of taking
effect.

SECTION 1. Section two of chapter twenty-two of the General Laws is hereby amended by striking out, in the fourth line, the word "five" and inserting in place thereof the word: — six, — so as to read as follows: — *Section 2.* Upon the expiration of the term of office of a commissioner, his successor shall be appointed by the governor, with the advice and consent of the council, for five years. The commissioner shall receive such salary, not exceeding six thousand dollars, as the governor and council determine.

SECTION 2. This act shall not take effect until a sufficient appropriation has been made therefor, and then as of the first day of June in the current year. *Approved April 30, 1923.*

Chap.331 AN ACT RELATIVE TO THE INVESTIGATION BY THE DEPARTMENT OF MENTAL DISEASES OF THE MENTAL CONDITION OF CERTAIN PERSONS HELD FOR TRIAL.

Be it enacted, etc., as follows:

G. L. 123,
§ 100A, etc.,
amended.

Section one hundred A of chapter one hundred and twenty-three of the General Laws, inserted by chapter four hundred and fifteen of the acts of nineteen hundred and twenty-one, is hereby

amended by inserting at the end thereof the following: — In the event of failure by the clerk of a district court or the trial justice to give notice to the department as aforesaid, the same shall be given by the clerk of the superior court after entry of the case in said court. Upon giving the notice required by this section the clerk of a court or the trial justice shall so certify on the papers. The physician making such examination shall, upon certification by the department, receive the same fees and traveling expenses as provided in section seventy-three for the examination of persons committed to institutions and such fees and expenses shall be paid in the same manner as provided in section seventy-four for the payment of commitment expenses, — so as to read as follows: — *Section 100A.* Whenever a person is indicted by a grand jury for a capital offense or whenever a person, who is known to have been indicted for any other offense more than once or to have been previously convicted of a felony, is indicted by a grand jury or bound over for trial in the superior court, the clerk of the court in which the indictment is returned, or the clerk of the district court or the trial justice, as the case may be, shall give notice to the department of mental diseases, and the department shall cause such person to be examined with a view to determine his mental condition and the existence of any mental disease or defect which would affect his criminal responsibility. The department shall file a report of its investigation with the clerk of the court in which the trial is to be held, and the report shall be accessible to the court, the district attorney and to the attorney for the accused, and shall be admissible as evidence of the mental condition of the accused. In the event of failure by the clerk of a district court or the trial justice to give notice to the department as aforesaid, the same shall be given by the clerk of the superior court after entry of the case in said court. Upon giving the notice required by this section the clerk of a court or the trial justice shall so certify on the papers. The physician making such examination shall, upon certification by the department, receive the same fees and traveling expenses as provided in section seventy-three for the examination of persons committed to institutions and such fees and expenses shall be paid in the same manner as provided in section seventy-four for the payment of commitment expenses.

Investigation by department of mental diseases of mental condition of certain persons held for trial.

Filing of report with clerk of court, etc.

Failure of notice to department, etc.

Fees and expenses of physician making examination.

Approved April 30, 1923.

AN ACT AUTHORIZING THE BERKSHIRE LOAN AND TRUST COMPANY TO HOLD ADDITIONAL REAL ESTATE IN THE CITY OF PITTSFIELD.

Chap. 332

Be it enacted, etc., as follows:

The Berkshire Loan and Trust Company, incorporated by chapter one hundred and sixty-five of the acts of eighteen hundred and ninety-five and having its usual place of business in the city of Pittsfield may, subject otherwise to the provisions of section forty-one of chapter one hundred and seventy-two of the General Laws, as amended by chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-two, and

Berkshire Loan and Trust Company may hold additional real estate in city of Pittsfield.

to the approval of the commissioner of banks, hold real estate in said city suitable for and to be used in whole or in part for the transaction of its business to an amount, including the cost of alterations and additions in the nature of permanent fixtures, not exceeding, directly or indirectly, one hundred and fifty thousand dollars in addition to the amount permitted by said section forty-one, amended as aforesaid, to be held by said trust company at the time this act takes effect.

Approved April 30, 1923.

Chap. 333 AN ACT RELATIVE TO THE MEMBERSHIP OF THE EMPLOYEES OF THE NORFOLK COUNTY TUBERCULOSIS HOSPITAL AND OF THE NORFOLK COUNTY AGRICULTURAL SCHOOL IN THE NORFOLK COUNTY RETIREMENT ASSOCIATION.

Be it enacted, etc., as follows:

Certain employees to be deemed to have become members of Norfolk county retirement association, etc.

SECTION 1. Every permanent employee of the Norfolk county tuberculosis hospital and of the Norfolk county agricultural school, except teachers in said school, on July first, nineteen hundred and twenty-three shall be deemed to become a member of the Norfolk county retirement association, established under chapter six hundred and thirty-four of the acts of nineteen hundred and eleven, on said July first unless he shall have, before the expiration of thirty days after this act takes full effect, sent written notice to the county commissioners of said county that he does not wish to join said association, but he shall be exempt from the making of deposits to the annuity and pension fund of said association required by section twenty-four of chapter thirty-two of the General Laws to cover the period between July first, nineteen hundred and twelve and July first, nineteen hundred and twenty-three.

Said employees to be subject to certain provisions of law, etc.

SECTION 2. Said employees shall otherwise be subject to all the provisions of said chapter thirty-two applicable to said association and to the members thereof, and the benefits payable to such employees under the provisions of section twenty-five of said chapter shall be based on the deposits made by said employees from and after July first, nineteen hundred and twenty-three.

To be submitted to Norfolk county commissioners. Proviso.

SECTION 3. This act shall take effect upon its acceptance by the county commissioners of the county of Norfolk; provided, that such acceptance occurs prior to July first in the current year. But for the purpose of its submission for acceptance, this act shall take effect upon its passage. *Approved April 30, 1923.*

Chap. 334 AN ACT RELATIVE TO THE INSPECTION OF DAMS AND RESERVOIRS.

Be it enacted, etc., as follows:

G. L. 35, § 26, amended.

SECTION 1. Section twenty-six of chapter thirty-five of the General Laws is hereby amended by inserting after the word "buildings" in the twenty-fourth line the words: — , and shall also state what reservoirs, reservoir dams and mill dams have been examined by them under section forty-five of chapter two

hundred and fifty-three, — so as to read as follows: — *Section 26.* Immediately after January tenth, the county commissioners shall annually prepare a report on county affairs, showing their acts during the year preceding, so as to give the taxpayers of the county a full and clear understanding of its affairs and of the objects and methods of county expenditures. They shall state specifically what petitions relating to highways have been received, and what highways have been laid out, altered, relocated or discontinued, the manner of their alteration or new construction, the time of their intended completion, what have been completed, at what cost and at whose expense, and what remain to be completed, what damages or betterments have been awarded or estimated and to or against whom, what damages have been paid or betterments collected, and what suits are pending in relation thereto. They shall also state what highways have been laid out under orders stating that betterments are to be assessed, their action relative to public and private ways, what applications relative to state highways they have made to the department of public works, and, so far as ascertainable, what highways have been laid out within the county by said department, what have been constructed and at what expense, what sums expended by the commonwealth in the county for highways have been repaid by said county, what sums remain to be paid, and when. They shall also make a detailed statement of the repairs upon the several county buildings, stating separately the work done by contract and by day, and the money paid, and the liabilities incurred in the construction of new buildings, and shall also state what reservoirs, reservoir dams and mill dams have been examined by them under section forty-five of chapter two hundred and fifty-three. They shall present a table showing the salaries paid to county officers, stating separately those prescribed by law, a statement of the county debt, giving the date when each obligation will mature and the rate of interest, stating separately the loans made in anticipation of taxes and permanent loans, a statement of the amount of county taxes due and unpaid, and a list of the assets of the county, including land, buildings, law library, furniture in court houses, jails and other public buildings.

Annual report of county commissioners, contents, etc.

SECTION 2. Section forty-five of chapter two hundred and fifty-three of the General Laws is hereby amended by striking out, in the second line, the word "three" and inserting in place thereof the word: — two, — and by striking out, in the same line, the words "if in their judgment the public good requires it," — so as to read as follows: — *Section 45.* The county commissioners shall, as often as once in two years, thoroughly examine every reservoir, reservoir dam and mill dam, by the breaking of which loss of life or damage to a road or bridge is likely to be caused, and they shall at any time make such examination upon written application by the aldermen of the city or selectmen of the town where such damage is likely to be caused or by a person whose property is likely to be so damaged. Such examination shall be made after notice to the owner of such reservoir or dam or to his agent and, if made upon such applica-

G. L. 253, § 45, amended.

County commissioners to inspect dams and reservoirs, etc.

tion, it shall be by the commissioners personally with the aid of a competent engineer. In other cases, the commissioners may cause it to be made by a competent engineer, who shall report to them in writing whether he considers it safe and in good condition and, if not, its condition in detail and the work or change required for safety and the public good. The engineer shall be allowed by the commissioners a reasonable compensation for his services, which shall be paid by the county.

Approved April 30, 1923.

Chap. 335 AN ACT PERMITTING MOTOR VEHICLES TO BE EQUIPPED WITH A PARKING LIGHT, SO-CALLED, WHEN NOT IN MOTION.

Be it enacted, etc., as follows:

G. L. 90, § 7,
etc., amended.

Section seven of chapter ninety of the General Laws, as amended by chapters one hundred and eighty-nine, four hundred and thirty-four and four hundred and eighty-three of the acts of nineteen hundred and twenty-one and by section two of chapter three hundred and forty-two of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "tint" in the twenty-first line the words: —, or, if parked within the limits of a way, one white light on the side of the automobile nearer the centre of the way, — by inserting after the word "shall" in the thirtieth line the words: — in all cases aforesaid, — and by inserting after the word "proceeding" in the thirty-second line, the words: — or facing, —

Motor vehicles.

so as to read as follows: — *Section 7.* Every motor vehicle of more than ten horse power operated in or on any way shall be provided with at least two brakes, powerful in action and separated from each other, of which one brake shall act directly on the driving wheels or on parts of the mechanism which are firmly connected with said wheels. Each of the two brakes shall suffice alone to stop the motor vehicle within a proper distance. One of the two brakes shall be so arranged as to be operated with the foot. Every automobile of not more than ten horse power and every motor cycle shall be provided with at least one brake. Every motor vehicle so operated shall be provided with a muffler or other suitable device to prevent unnecessary noise and with a suitable bell, horn or other means of signalling, and with suitable lamps; and automobiles shall be provided with a lock, a ratchet brake which can be set, a key or other device to prevent such vehicle from being set in motion by unauthorized persons, or otherwise, contrary to the will of the owner or person in charge thereof. Every automobile operated during the period from one half an hour after sunset to one half an hour before sunrise shall display at least two white lights, or lights of yellow

Lights.

Parking lights.

or amber tint, or, if parked within the limits of a way, one white light on the side of the automobile nearer the centre of the way, and every motor cycle so operated at least one white light, or light of yellow or amber tint, and every such motor cycle with a side-car attached, in addition, one such light on the front of the side-car, and every motor truck, trailer and commercial motor vehicle used solely as such, having a carrying

capacity of three tons or over, in addition, a green light attached to the extreme left of the front of such vehicle, so attached and adjusted as to indicate the extreme left lateral extension of the vehicle or load, which shall in all cases aforesaid be visible not less than two hundred feet in the direction toward which the vehicle is proceeding or facing; and every such motor vehicle shall display at least one red light in the reverse direction. Every automobile so operated shall have a rear light so placed as to show a red light from behind and a white light so arranged as to illuminate and not obscure the rear register number. No headlamp shall be used upon any motor vehicle so operated unless such lamp is equipped with a lens or other device, approved by the registrar, designed to prevent glaring rays. No rear lamp shall be used upon any motor vehicle so operated unless approved by the registrar. Application for the approval of a lens, or other device, or of a rear lamp, accompanied by a fee of fifty dollars, may be made to the registrar by any manufacturer thereof or dealer therein. Every automobile used for the carriage of passengers for hire, and every commercial motor vehicle or motor truck, so constructed, equipped or loaded that the person operating the same is prevented from having a constantly free and unobstructed view of the highway immediately in the rear, shall have attached to the vehicle a mirror or reflector so placed and adjusted as to afford the operator a clear, reflected view of the highway in the rear of the vehicle.

Headlamp lenses, etc., and rear lamps, approval by registrar, etc.

Mirrors or reflectors.

Approved April 30, 1923.

AN ACT RELATIVE TO THE CANCELLATION OF INSURANCE POLICIES.

Chap. 336

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section one hundred and eighty-seven A, inserted by chapter four hundred and eight of the acts of nineteen hundred and twenty-two, the three following new sections: — *Section 187B.* A company, or any officer, agent or employee thereof, having actual knowledge that the insured under any policy of insurance has paid the premium thereon to the company, or to its agent who issued the policy, or to the duly licensed insurance broker who negotiated it or its continuance or renewal, who cancels or offers or attempts to cancel any such policy, which provides for cancellation by the company upon giving written notice and paying or tendering to the insured a return premium, without paying or tendering to him with said notice the full return premium thereunder according to its terms without any deductions, or who refuses to pay or tender to the insured the full return premium according to its terms without any deductions upon demand after cancellation by the insured of any such policy which provides for cancellation by the insured and for the payment to him of a return premium, or who refuses to pay or tender to the insured the full return premium according to the terms of the policy without any deductions, upon demand

G. L. 175, new sections after § 187A, etc.

Penalty for certain acts by insurance companies or officers, agents, etc., thereof in connection with cancellation of insurance policies.

Cancellation of certain insurance policies, how effected.	<p>after the full return premium has been ascertained, in the case of such a policy which provides for cancellation by the company upon written notice without paying or tendering the return premium until it has been ascertained, or upon demand after cancellation in the case of such a policy which provides for cancellation by the company upon giving written notice and for the payment of the return premium upon demand after cancellation, shall be punished for the first offence by a fine of not less than fifty nor more than two hundred dollars and for each subsequent offence by a fine of not less than one hundred nor more than five hundred dollars and by imprisonment for not more than six months. <i>Section 187C.</i> A company issuing any policy of insurance which is subject to cancellation by the company shall effect cancellation by serving the notice thereof provided by the policy and by paying or tendering, except as provided in this and the following section, the full return premium due thereunder in accordance with its terms without any deductions. Such notice and return premium, if any, shall be delivered in hand to the insured, or be left at his last address as shown by the company's records or, if its records contain no such address, at his last business, residence or other address known to the company, or be forwarded to said address by registered mail, postage prepaid. A check of the company or its duly authorized agent shall be deemed a sufficient tender. The affidavit of any officer, agent or employee of the company, duly authorized for that purpose, that such notice has been served and such return premium, if any, has been paid or tendered, as provided in this section, shall be prima facie evidence that cancellation has been duly effected.</p>
Check to be deemed sufficient tender, etc. Prima facie evidence of cancellation.	<p>If a policy is made payable to a mortgagee or any person other than the insured, notice shall be given as above provided to the payee as well as to the insured.</p>
Notice if policy is payable to person other than insured.	<p>Policies subject to cancellation by the insured upon giving notice to the company may be cancelled by serving such notice in the manner herein provided upon the company or upon its agent who issued the policy.</p>
Cancellation by insured upon notice to company, etc.	<p>Whoever knowingly and wilfully makes a false affidavit under this section shall be punished by a fine of not less than one hundred nor more than one thousand dollars or by imprisonment for not more than one year.</p>
Penalty for false affidavit, etc.	<p>This section shall not apply to nor be deemed to prevent the termination of any policy by mutual consent of the parties, nor shall it require the payment or tender of a return premium upon the cancellation of a policy which provides for the payment of a return premium when ascertained or upon demand after cancellation. <i>Section 187D.</i> A company issuing any policy of insurance which provides for cancellation by the company upon giving written notice to the insured and for the payment or tender to the insured of a return premium at any time either before, at or after cancellation, may cancel such policy by giving the notice provided therein in the manner prescribed by section one hundred and eighty-seven C without tendering or paying at any time or in any case any return premium thereon, if the</p>
Application of this section limited, etc.	
Cancellation of policies by company upon notice to insured, etc.	

insured has not prior to the date of such notice, actually paid the premium thereon either to the company, or to its agent who issued the policy, or to the duly licensed insurance broker who negotiated it or its continuance or renewal.

SECTION 2. Section one hundred and three of said chapter one hundred and seventy-five is hereby repealed. G. L. 175, § 103, repealed.

Approved April 30, 1923.

AN ACT RELATIVE TO THE RECORDS KEPT BY CERTAIN HOSPITALS. Chap.337

Be it enacted, etc., as follows:

Section seventy of chapter one hundred and eleven of the General Laws is hereby amended by adding at the end thereof the following: — Section ten of chapter sixty-six shall not apply to such records provided that upon proper judicial order, whether in connection with pending judicial proceedings or otherwise, or upon order of the head of the state department having supervision of such hospital, and in compliance with the terms of said order, such records may be inspected and copies furnished on payment of a reasonable fee. G. L. 111, § 70, amended.
Certain hospitals to keep records of cases, etc.
Proviso.

Approved April 30, 1923.

AN ACT RESTRICTING THE INCURRING OF DEBT BY CITIES AND TOWNS WITHIN THE STATUTORY DEBT LIMIT. Chap.338

Be it enacted, etc., as follows:

Section seven of chapter forty-four of the General Laws is hereby amended by inserting after the word "specified" in the third line the following: — , provided that as to each such purpose, except those described in paragraphs (15), (16) and (17), only such sum may in any year be authorized to be borrowed as exceeds twenty-five cents per one thousand dollars of the valuation of the city or town for the preceding year, — and by striking out paragraph (11) and inserting in place thereof the following: — (11) For the cost of additional departmental equipment, five years, — so as to read as follows: — *Section 7.* Cities and towns may incur debt, within the limit of indebtedness prescribed in section ten, for the following purposes, and payable within the periods hereinafter specified, provided that as to each such purpose, except those described in paragraphs (15), (16) and (17), only such sum may in any year be authorized to be borrowed as exceeds twenty-five cents per one thousand dollars of the valuation of the city or town for the preceding year: G. L. 44, § 7, amended.
Purposes for which cities and towns may borrow within statutory debt limit.
Proviso.

(1) For the construction of sewers for sanitary and surface drainage purposes and for sewage disposal, thirty years.

(2) For acquiring land for public parks or public domain under chapter forty-five, thirty years; but no indebtedness incurred for public domain shall exceed one half of one per cent of the last preceding assessed valuation of the city or town.

(3) For acquiring land for any purpose for which a city or town is or may hereafter be authorized to acquire land, not otherwise herein specified, and for the construction of buildings

which cities and towns are or may hereafter be authorized to construct, including the cost of original equipment and furnishing, twenty years.

(4) For the construction of additions to schoolhouses or buildings to be used for any municipal purpose, including the cost of original equipment and furnishings, where such additions increase the floor space of said buildings, twenty years.

(5) For the construction of bridges of stone or concrete, or of iron superstructure, twenty years.

(6) For the original construction of public ways or the extension or widening thereof, including land damages and the cost of pavement and sidewalks laid at the time of said construction, ten years.

(7) For the construction of stone, block, brick or other permanent pavement of similar lasting character, ten years.

(8) For macadam pavement or other road material under specifications approved by the division of highways, five years.

(9) For the construction of walls or dikes for the protection of highways or property, ten years.

(10) For the purchase of land for cemetery purposes, ten years.

(11) For the cost of additional departmental equipment, five years.

(12) For the construction of sidewalks of brick, stone, concrete or other material of similar lasting character, five years.

(13) For connecting dwellings or other buildings with common sewers, when the cost is to be assessed in whole or in part on the abutting property owners, five years.

(14) For the abatement of nuisances in order to conserve the public health, five years.

(15) For extreme emergency appropriations involving the health or safety of the people or their property, five years.

(16) For the payment of final judgments rendered after the fixing of the tax rate for the current year, one year.

(17) For such other emergency appropriations as shall be approved by a board composed of the attorney general, the state treasurer and the director, one year.

Debts may be authorized under this section only by a two thirds vote.

Approved April 30, 1923.

Chap. 339 AN ACT RELATIVE TO THE VENUE OF CERTAIN SPECIFIC CRIMES.

Be it enacted, etc., as follows:

G. L. 265, new
section after
§ 24.

Venue of
certain
specific
crimes.

Chapter two hundred and sixty-five of the General Laws is hereby amended by inserting after section twenty-four the following new section: — *Section 24A.* If, in connection with the alleged commission of a crime described in section twenty-two, twenty-three or twenty-four, the female against whom said crime is alleged to have been committed has been conveyed from one county or judicial district into another, said crime may be alleged to have been committed, and may be prosecuted and punished, in the county or judicial district where committed or from which such female was so conveyed.

Approved May 1, 1923.

AN ACT RELATIVE TO THE VENUE OF CRIMES IN GENERAL. *Chap.340*
Be it enacted, etc., as follows:

Chapter two hundred and seventy-seven of the General Laws is hereby amended by inserting after section fifty-seven the following new section:— *Section 57A.* A defendant shall not be discharged for want of jurisdiction if the evidence discloses that the crime with which he is charged was actually committed without the county or the territorial jurisdiction of the court in which he is being tried; provided, that the attorney general or the district attorney petitions to the court before proceeding with the trial for leave to proceed, stating that he is in doubt from the state of the evidence then in his possession as to whether or not the crime was committed within the county or the territorial jurisdiction of the court, and the court after hearing said petition orders the trial to proceed. *Approved May 1, 1923.*

G. L. 277,
new section
after § 57.
Venue of
crimes in
general.

Proviso.

AN ACT ESTABLISHING THE HOUSATONIC FIRE AND WATER DISTRICT IN THE TOWN OF GREAT BARRINGTON. *Chap.341*

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Great Barrington residing in precinct B of said town are hereby made a body corporate by the name of the Housatonic Fire and Water District, for the purpose of supplying said district with water for the extinguishment of fires and for domestic and other purposes. Said district may construct sidewalks, including curbstones, upon the public streets and highways of said district, and may repair the same, and may construct and maintain in said district such main drains and common sewers as it shall by vote adjudge to be necessary for the public convenience or public health, but no work shall be done on or in the streets of the town of Great Barrington by the officers of said district except with the approval of the board of selectmen of said town. All general laws now or hereafter in force relating to fire and water districts and relating to the construction of sidewalks and sewers by towns, except as herein provided, shall apply to said district.

Housatonic
Fire and
Water District,
established.

May construct,
etc., sidewalks,
drains,
common
sewers, etc.

Subject to
certain general
laws, etc.

SECTION 2. For the purposes aforesaid, said district, acting by and through its board of water commissioners hereinafter provided for, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the water of any pond or stream, or of any ground sources of supply, not already acquired for public uses, by means of driven, artesian or other wells, within the limits of the town of Great Barrington; provided, that the amount of water which shall be taken shall from time to time be determined by vote of the district. For the purposes aforesaid, said district, acting by and through said water commissioners, may also so take, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided,

May take
certain
waters, etc.

Proviso.

May take
certain
lands, etc.

Proviso.

May construct
dams, reser-
voirs, etc.

that no source of water supply and no lands necessary for preserving the quality of the water shall be taken or used without first obtaining the advice and approval of the department of public health, and that the location of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of the said department. Said district may construct on the lands acquired and held under this act proper dams, reservoirs, stand-pipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, railroads, railways and public or other ways, and along such ways in the town of Great Barrington in such manner as not unnecessarily to obstruct the same. For the purpose of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; and all things done upon any such way shall be subject to the direction of the selectmen of said town. Said district shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. Subject to and in accordance with the provisions of section nine of chapter two hundred and sixty-two of the acts of eighteen hundred and eighty-four, and acts in amendment thereof and in addition thereto, said district may purchase the franchise, corporate property and all the rights and privileges of the Housatonic Water Works Company, incorporated by chapter two hundred and twenty-nine of the acts of eighteen hundred and ninety-seven.

Requirements
for entry
upon railroad
locations.

May purchase
franchise,
etc., of
Housatonic
Water Works
Company.

May issue
bonds, etc.

Housatonic
Fire and
Water District
Loan, Act
of 1923.

Payment of
loans.

SECTION 3. For the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, the said district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Housatonic Fire and Water District Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to chapter forty-four of the General Laws.

SECTION 4. The said district shall, at the time of authorizing the said loan or loans provide for the payment thereof in accordance with section three; and when a vote to that effect has been passed, a sum which, with the income derived from water

rates, will be sufficient to pay the annual expense of operating the water works and interest as it accrues on bonds or notes issued as aforesaid and to make such payments on the principal as may be required under this act, shall, without further vote, be assessed upon the said district by the assessors of the town of Great Barrington annually thereafter, until the debt incurred by said loan or loans is extinguished.

SECTION 5. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as it shall deem for the best interest of the district.

Land taken, etc., to be managed, etc., by board of water commissioners.

SECTION 6. Any person injured in his property by any action of said water commissioners under this act may recover damages from said district under said chapter seventy-nine; provided, that the right to damages for the taking of any water or water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said district under authority of this act.

Injuries to property, recovery of damages, etc. Proviso.

SECTION 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the town of Great Barrington who shall assess the same on said district in the same manner in all respects in which town taxes are required by law to be assessed. The assessments shall be committed to the town collector who shall collect the tax in the manner provided for the collection of town taxes, and shall deposit the proceeds with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the same manner in which interest is authorized to be collected on town taxes.

Assessment and collection of taxes.

SECTION 8. A meeting of the voters of precinct B in said town shall be called, on petition of ten or more legal voters in said precinct, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. One of the petitioners shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator, the question of the acceptance of this act shall be submitted to the voters, and if it shall be accepted by a majority of the voters present and voting thereon it shall take full effect, and the meeting may then proceed to act upon the other articles contained in the warrant.

First meeting, how called, etc.

Question of acceptance of the act.

SECTION 9. Said district shall, at the same meeting at which this act is accepted and after such acceptance, elect by ballot a district clerk and a district treasurer, who may be the same person, to hold office until one year from the next succeeding annual meeting, and at each annual meeting after the first, their successors shall be elected by ballot for one year; and there shall also be elected by ballot three persons to hold office, one until three years, one until two years, and one until one year, from the next succeeding annual meeting, to constitute a board of water commissioners. At each annual meeting after the first,

District clerk, district treasurer and board of water commissioners, election, powers, etc.

one such commissioner shall be elected by ballot for three years. All officers of the district shall hold office until their successors are elected and qualified. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in the board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may impose by its vote. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the district treasury except upon the written order of a majority of the board.

Vacancy in
board, etc.

Commissioners
to fix water
rates, etc.

Net surplus,
how used.

Annual report.

Adoption of
by-laws,
calling of
meetings, etc.

To have
certain rights,
etc.

Penalty for
polluting
water, etc.

Time of taking
effect, etc.

SECTION 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be used to defray all operating expenses, interest charges and payments on principal as they become due upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it shall be used for such new construction as said commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by said commissioners except from the net surplus aforesaid, unless the district appropriates and provides money therefor. All authority vested in said commissioners by the foregoing provisions of this section shall be subject to the provisions of section nine. Said commissioners shall annually, and as often as the district may require, render to the district a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

SECTION 11. Said district may adopt by-laws prescribing by whom and how meetings may be called and notified; and upon the application of ten or more legal voters in the district, meetings may also be called by warrant from a justice of the peace as provided in section eight. Said district may also choose such other officers, not provided for in this act, as it may deem necessary or proper. Said district shall have all the rights and privileges conferred by law upon water districts and fire districts.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, stand-pipe, aqueduct, pipe or other property, owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

SECTION 13. For the purpose of its submission for acceptance, this act shall take effect upon its passage; but it shall be void

unless such acceptance occurs within three years after its passage and the district, under its provisions, shall begin the distribution of water within four years after its passage.

Approved May 1, 1923.

AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, FOR INTEREST AND DEBT REQUIREMENTS, FOR CERTAIN PERMANENT IMPROVEMENTS, AND GRANTING A COUNTY TAX FOR SAID COUNTIES. Chap. 342

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. The following sums are hereby appropriated for the counties hereinafter specified for the year nineteen hundred and twenty-three. No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners and with the approval of the director of accounts.

Appropriations
for main-
tenance of
certain
counties, for
interest and
debt require-
ments, for
certain
improvements,
etc.

SECTION 2.

Barnstable County.

Item

1	For interest on county debt, a sum not exceeding nine thousand dollars	\$9,000 00	Appropriations etc., and county tax, Barnstable.
2	For reduction of county debt, a sum not exceeding twenty-eight thousand nine hundred thirty-one dollars and sixty-two cents	28,931 62	
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirteen thousand dollars	13,000 00	
4	For clerical assistance in county offices, a sum not exceeding four thousand dollars	4,000 00	
5	For salaries and expenses of district courts, a sum not exceeding eleven thousand dollars	11,000 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding seven thousand dollars	7,000 00	
7	For criminal costs in the superior court, a sum not exceeding five thousand dollars	5,000 00	
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding three thousand dollars	3,000 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding two thousand dollars	2,000 00	
12	For auditors, masters and referees, a sum not exceeding one thousand dollars	1,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding three thousand dollars	3,000 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding seven thousand five hundred dollars	7,500 00	

	Item	
Appropriations, etc., and county tax, Barnstable.	16 For highways, including state highways, bridges and land damages, a sum not exceeding forty thousand dollars	\$40,000 00
	19 For county aid to agriculture, a sum not exceeding six thousand dollars	6,000 00
	20 For the infirmary, a sum not exceeding forty-two thousand dollars	42,000 00
	23 For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand dollars	2,000 00
	24 For a reserve fund, a sum not exceeding two thousand dollars	2,000 00
	And the county commissioners of Barnstable county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred thirty-four thousand four hundred seventy-seven dollars and ninety-seven cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	134,477 97

Berkshire County.

Appropriations, etc., and county tax, Berkshire.	1 For interest on county debt, a sum not exceeding eight thousand five hundred dollars	\$8,500 00
	3 For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-three thousand dollars	23,000 00
	4 For clerical assistance in county offices, a sum not exceeding eleven thousand five hundred dollars	11,500 00
	5 For salaries and expenses of district courts, a sum not exceeding thirty-seven thousand dollars	37,000 00
	6 For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding thirty thousand dollars	30,000 00
	7 For criminal costs in the superior court, a sum not exceeding ten thousand dollars	10,000 00
	8 For civil expenses in the supreme judicial and superior courts, a sum not exceeding eight thousand dollars	8,000 00
	10 For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00
	11 For medical examiners, inquests, and commitments of the insane, a sum not exceeding four thousand five hundred dollars	4,500 00
	12 For auditors, masters and referees, a sum not exceeding two thousand dollars	2,000 00
	14 For repairing, furnishing and improving county buildings, a sum not exceeding ten thousand dollars	10,000 00
	15 For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding twelve thousand dollars	12,000 00
	16 For highways, including state highways, bridges and land damages, a sum not exceeding ninety-three thousand dollars	93,000 00
	16a For a road tractor, a sum not exceeding seven thousand dollars	7,000 00
	17 For law libraries, a sum not exceeding one thousand dollars	1,000 00
	18 For training school, a sum not exceeding one thousand five hundred dollars	1,500 00
	19 For county aid to agriculture, a sum not exceeding twelve thousand dollars	12,000 00

Item			
20	For the sanatorium (Hampshire County), a sum not exceeding five hundred dollars	\$500 00	Appropriations, etc., and county tax, Berkshire.
21	For the care and maintenance of Greylock state reservation, a sum not exceeding five thousand five hundred dollars	5,500 00	
	For the care and maintenance of Mount Everett state reservation, a sum not exceeding two thousand dollars	2,000 00	
22	For pensions, a sum not exceeding two thousand dollars	2,000 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding seven thousand dollars	7,000 00	
24	For a reserve fund, a sum not exceeding five thousand dollars	5,000 00	
	And the county commissioners of Berkshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred sixty-nine thousand three hundred ninety-seven dollars and ten cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	269,397 10	

Bristol County.

1	For interest on county debt, a sum not exceeding thirty thousand dollars	\$30,000 00	Appropriations, etc., and county tax, Bristol.
2	For reduction of county debt, a sum not exceeding seventy-one thousand dollars	71,000 00	
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty-eight thousand dollars	38,000 00	
4	For clerical assistance in county offices, a sum not exceeding forty-eight thousand dollars	48,000 00	
5	For salaries and expenses of district courts, a sum not exceeding ninety thousand dollars	90,000 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred thousand dollars	100,000 00	
7	For criminal costs in the superior court, a sum not exceeding thirty-five thousand dollars	35,000 00	
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding thirty thousand dollars	30,000 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding twelve thousand dollars	12,000 00	
12	For auditors, masters and referees, a sum not exceeding five thousand dollars	5,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding fifteen thousand dollars	15,000 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding fifty-two thousand dollars	52,000 00	
16	For highways, including state highways, bridges and land damages, a sum not exceeding sixty thousand dollars	60,000 00	
17	For law libraries, a sum not exceeding seven thousand dollars	7,000 00	

Appropriations, etc., and county tax, Bristol.	Item		
	18	For training school, a sum not exceeding sixteen thousand dollars	\$16,000 00
	19	For the agricultural school, a sum not exceeding fifty thousand dollars	50,000 00
	22	For pensions, a sum not exceeding four thousand five hundred dollars	4,500 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand five hundred dollars	2,500 00
	24	For a reserve fund, a sum not exceeding six thousand dollars	6,000 00
	And the county commissioners of Bristol county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of five hundred nine thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes		509,000 00

County of Dukes County.

Appropriations, etc., and county tax, Dukes county.			
	1	For interest on county debt, a sum not exceeding one thousand nine hundred dollars	\$1,900 00
	2	For reduction of county debt, a sum not exceeding three thousand dollars	3,000 00
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding three thousand seven hundred sixty-three dollars	3,763 00
	4	For clerical assistance in county offices, a sum not exceeding seven hundred dollars	700 00
	5	For salaries and expenses of district courts, a sum not exceeding one thousand eight hundred dollars	1,800 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding six hundred dollars	600 00
	7	For criminal costs in the superior court, a sum not exceeding five hundred dollars	500 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding eight hundred dollars	800 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding seventy dollars	70 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding four hundred dollars	400 00
	11a	For bills of the previous year of medical examiners, a sum not exceeding one hundred forty-two dollars and forty cents	142 40
	12	For auditors, masters and referees, a sum not exceeding three hundred dollars	300 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding one thousand dollars	1,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding one thousand three hundred dollars	1,300 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding five thousand dollars	5,000 00
	22	For pensions, a sum not exceeding two hundred and forty dollars	240 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five hundred dollars	500 00

Item			
24	For a reserve fund, a sum not exceeding three hundred and fifty dollars	\$350 00	Appropriations, etc., and county tax, Dukes county.
	And the county commissioners of the county of Dukes County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of nineteen thousand four hundred sixty-two dollars and sixty-one cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	19,462 61	

Essex County.

1	For interest on county debt, a sum not exceeding fifty-five thousand dollars	\$55,000 00	Appropriations, etc., and county tax, Essex.
2	For reduction of county debt, a sum not exceeding one hundred sixty-six thousand dollars	166,000 00	
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding fifty thousand dollars	50,000 00	
4	For clerical assistance in county offices, a sum not exceeding seventy-eight thousand dollars	78,000 00	
5	For salaries and expenses of district courts, a sum not exceeding one hundred forty-three thousand five hundred dollars	143,500 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding sixty-five thousand four hundred dollars	65,400 00	
7	For criminal costs in the superior court, a sum not exceeding seventy-five thousand dollars	75,000 00	
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding seventy thousand dollars	70,000 00	
9	For trial justices, a sum not exceeding seven thousand dollars	7,000 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand two hundred dollars	1,200 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding thirteen thousand five hundred dollars	13,500 00	
12	For auditors, masters and referees, a sum not exceeding twelve thousand dollars	12,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding thirty thousand dollars	30,000 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding sixty-six thousand four hundred dollars	66,400 00	
16	For highways, including state highways, bridges and land damages, a sum not exceeding four hundred thirty-nine thousand six hundred dollars	439,600 00	
17	For law libraries, a sum not exceeding eight thousand five hundred dollars	8,500 00	
18	For training school, a sum not exceeding fifty-four thousand dollars	54,000 00	
19	For the maintenance of the independent agricultural school, a sum not exceeding one hundred six thousand six hundred dollars	106,600 00	
19a	For the equipment of the independent agricultural school, a sum not exceeding four thousand five hundred dollars	4,500 00	
22	For pensions, a sum not exceeding five thousand two hundred dollars	5,200 00	

Item		
Appropriations, etc., and county tax, Essex.	23 For miscellaneous and contingent expenses of the current year, a sum not exceeding four thousand six hundred thirty-seven dollars and seventy-two cents	\$4,637 72
	24 For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
	And the county commissioners of Essex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one million two hundred seven-teen thousand five hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	1,217,500 00

Franklin County.

Appropriations, etc., and county tax, Franklin.	1 For interest on county debt, a sum not exceeding four thousand five hundred dollars	\$4,500 00
	2 For reduction of county debt, a sum not exceeding two thousand dollars	2,000 00
	3 For salaries of county officers and assistants, fixed by law, a sum not exceeding thirteen thousand two hundred thirty-six dollars and twenty-six cents	13,236 26
	4 For clerical assistance in county offices, a sum not exceeding four thousand nine hundred forty dollars	4,940 00
	5 For salaries and expenses of district courts, a sum not exceeding twelve thousand dollars	12,000 00
	6 For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding seventeen thousand seven hundred dollars	17,700 00
	7 For criminal costs in the superior court, a sum not exceeding four thousand dollars	4,000 00
	8 For civil expenses in the supreme judicial and superior courts, a sum not exceeding nine thousand five hundred dollars	9,500 00
	10 For transportation expenses of county and associate commissioners, a sum not exceeding two hundred and fifty dollars	250 00
	11 For medical examiners, inquests, and commitments of the insane, a sum not exceeding one thousand five hundred dollars	1,500 00
	12 For auditors, masters and referees, a sum not exceeding one thousand dollars	1,000 00
	14 For repairing, furnishing and improving county buildings, a sum not exceeding one thousand five hundred dollars	1,500 00
	15 For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding seven thousand dollars	7,000 00
	16 For highways, including state highways, bridges and land damages, a sum not exceeding sixty thousand dollars	60,000 00
	16a For the examination of dams, a sum not exceeding two thousand dollars	2,000 00
	17 For law libraries, a sum not exceeding one thousand five hundred dollars	A 1,500 00
	19 For county aid to agriculture, a sum not exceeding eight thousand dollars	8,000 00
	20 For the sanatorium (Hampshire County), a sum not exceeding six thousand five hundred dollars	6,500 00
	21 For Mount Sugar Loaf state reservation, a sum not exceeding one thousand eight hundred dollars	1,800 00

Item			Appropriations, etc., and county tax, Franklin.
22	For pensions, a sum not exceeding four hundred and eighty dollars	\$480 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding four hundred ninety-four dollars and four cents	494 04	
24	For a reserve fund, a sum not exceeding four thousand dollars	4,000 00	
And the county commissioners of Franklin county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred forty-six thousand five hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes		146,500 00	

Hampden County.

			Appropriations, etc., and county tax, Hampden.
1	For interest on county debt, a sum not exceeding fifteen thousand dollars	\$15,000 00	
2	For reduction of county debt, a sum not exceeding seventeen thousand dollars	17,000 00	
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty-seven thousand dollars	37,000 00	
4	For clerical assistance in county offices, a sum not exceeding thirty-two thousand dollars	32,000 00	
5	For salaries and expenses of district courts, a sum not exceeding seventy thousand dollars	70,000 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding sixty thousand dollars	60,000 00	
7	For criminal costs in the superior court, a sum not exceeding thirty-eight thousand dollars	38,000 00	
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding forty-eight thousand dollars	48,000 00	
9	For trial justices, a sum not exceeding eight hundred dollars	800 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding ten thousand dollars	10,000 00	
12	For auditors, masters and referees, a sum not exceeding thirteen thousand dollars	13,000 00	
13	For building county buildings, a sum not exceeding ten thousand dollars	10,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding fifteen thousand dollars	15,000 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding forty-five thousand dollars	45,000 00	
16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred seven thousand dollars	107,000 00	
17	For law libraries, a sum not exceeding seven thousand dollars	7,000 00	
18	For training school, a sum not exceeding forty thousand dollars	40,000 00	
19	For county aid to agriculture, a sum not exceeding thirty thousand dollars	30,000 00	

Appropriations, etc., and county tax, Hampden.	Item		
	20	For the sanatorium (Hampshire County), a sum not exceeding twelve thousand two hundred eighty-three dollars and seventy-six cents	\$12,283 76
	21	For Mount Tom state reservation, a sum not exceeding six thousand five hundred dollars	6,500 00
	22	For pensions, a sum not exceeding five thousand dollars	5,000 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding four thousand thirty-five dollars and thirty-two cents	4,035 32
	24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
		And the county commissioners of Hampden county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of four hundred forty thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	440,000 00

Hampshire County.

Appropriations, etc., and county tax, Hampshire.			
	1	For interest on county debt, a sum not exceeding two thousand dollars	\$2,000 00
	2	For reduction of county debt, a sum not exceeding seventeen thousand dollars	17,000 00
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding seventeen thousand dollars	17,000 00
	4	For clerical assistance in county offices, a sum not exceeding six thousand five hundred dollars	6,500 00
	5	For salaries and expenses of district courts, a sum not exceeding eighteen thousand five hundred dollars	18,500 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding eighteen thousand dollars	18,000 00
	7	For criminal costs in the superior court, a sum not exceeding eleven thousand dollars	11,000 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding five thousand dollars	5,000 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding three thousand dollars	3,000 00
	12	For auditors, masters and referees, a sum not exceeding one thousand five hundred dollars	1,500 00
	13	For building county buildings, a sum not exceeding five thousand dollars	5,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding five thousand dollars	5,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding eleven thousand dollars	11,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred thousand dollars	100,000 00
	17	For law libraries, a sum not exceeding one thousand two hundred dollars	1,200 00
	19	For county aid to agriculture, a sum not exceeding seven thousand dollars	7,000 00
	20	For the sanatorium, a sum not exceeding five thousand dollars	5,000 00

Item			Appropriations, etc., and county tax, Hampshire.
21	For Mount Tom state reservation, a sum not exceeding one thousand five hundred dollars . . .	\$1,500 00	
22	For pensions, a sum not exceeding one thousand dollars . . .	1,000 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand dollars . . .	3,000 00	
24	For a reserve fund, a sum not exceeding five thousand dollars . . .	5,000 00	
	And the county commissioners of Hampshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred forty-three thousand five hundred twenty-two dollars and twenty-four cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes . . .	143,522 24	

Middlesex County.

1	For interest on county debt, a sum not exceeding forty thousand dollars . . .	\$40,000 00	Appropriations, etc., and county tax, Middlesex.
2	For reduction of county debt, a sum not exceeding twenty-nine thousand dollars . . .	29,000 00	
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding sixty-four thousand dollars . . .	64,000 00	
4	For clerical assistance in county offices, a sum not exceeding one hundred seventy-three thousand dollars . . .	173,000 00	
5	For salaries and expenses of district courts, a sum not exceeding one hundred ninety thousand dollars . . .	190,000 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred thirty-eight thousand dollars . . .	138,000 00	
7	For criminal costs in the superior court, a sum not exceeding one hundred forty thousand dollars . . .	140,000 00	
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding one hundred thirty-five thousand dollars . . .	135,000 00	
9	For trial justices, a sum not exceeding one thousand dollars . . .	1,000 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand five hundred dollars . . .	1,500 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding twenty-five thousand dollars . . .	25,000 00	
12	For auditors, masters and referees, a sum not exceeding twenty thousand dollars . . .	20,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding fifty-five thousand dollars . . .	55,000 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding one hundred thirteen thousand dollars . . .	113,000 00	
16	For highways, including state highways, bridges and land damages, a sum not exceeding three hundred twenty-five thousand dollars . . .	325,000 00	
17	For law libraries, a sum not exceeding seven thousand dollars . . .	7,000 00	
18	For training school, a sum not exceeding forty-two thousand dollars . . .	42,000 00	

Appropriations, etc., and county tax, Middlesex.	Item	
	18a For bills of the previous year of the training school, a sum not exceeding one thousand two hundred dollars	\$1,200 00
	19 For county aid to agriculture, a sum not exceeding thirty-five thousand dollars	35,000 00
	21 For Walden Pond state reservation, a sum not exceeding seven thousand dollars	7,000 00
	22 For pensions, a sum not exceeding twenty thousand dollars	20,000 00
	23 For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand dollars	5,000 00
	24 For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
	And the county commissioners of Middlesex county are hereby authorized to levy as the county tax for the current year, in the manner provided by law, the sum of one million two hundred eighty-five thousand three hundred eighty dollars and twenty-eight cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	1,285,380 28

Norfolk County.

Appropriations, etc., and county tax, Norfolk.		
	1 For interest on county debt, a sum not exceeding thirty thousand five hundred dollars	\$30,500 00
	2 For reduction of county debt, a sum not exceeding thirty thousand nine hundred dollars	30,900 00
	3 For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty thousand dollars	30,000 00
	4 For clerical assistance in county offices, a sum not exceeding forty-nine thousand dollars	49,000 00
	5 For salaries and expenses of district courts, a sum not exceeding sixty-seven thousand dollars	67,000 00
	6 For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding thirty-eight thousand dollars	38,000 00
	7 For criminal costs in the superior court, a sum not exceeding thirty-five thousand dollars	35,000 00
	8 For civil expenses in the supreme judicial and superior courts, a sum not exceeding twenty-five thousand dollars	25,000 00
	10 For transportation expenses of county and associate commissioners, a sum not exceeding two thousand dollars	2,000 00
	11 For medical examiners, inquests, and commitments of the insane, a sum not exceeding nine thousand dollars	9,000 00
	12 For auditors, masters and referees, a sum not exceeding three thousand five hundred dollars	3,500 00
	13 For building county buildings, a sum not exceeding twelve thousand dollars	12,000 00
	14 For repairing, furnishing and improving county buildings, a sum not exceeding twelve thousand dollars	12,000 00
	15 For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding fifty thousand dollars	50,000 00
	16 For highways, including state highways, bridges and land damages, a sum not exceeding one hundred sixty thousand dollars	160,000 00
	16a For bridge apportionment expenses, a sum not exceeding seventeen thousand dollars	17,000 00

Item			Appropriations, etc., and county tax, Norfolk.
18	For training school, a sum not exceeding nine thousand dollars	\$9,000 00	
19	For the agricultural school, a sum not exceeding seventy-six thousand one hundred fifty dollars	76,150 00	
22	For pensions, a sum not exceeding three thousand dollars	3,000 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding six thousand sixty-six dollars and ninety-five cents	6,066 95	
24	For a reserve fund, a sum not exceeding five thousand dollars	5,000 00	
And the county commissioners of Norfolk county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of five hundred fifty-nine thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes		559,000 00	

Plymouth County.

			Appropriations, etc., and county tax, Plymouth.
1	For interest on county debt, a sum not exceeding nineteen thousand nine hundred dollars	\$19,900 00	
2	For reduction of county debt, a sum not exceeding twenty-five thousand seven hundred fifty dollars	25,750 00	
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-two thousand two hundred dollars	22,200 00	
4	For clerical assistance in county offices, a sum not exceeding eighteen thousand four hundred thirty dollars	18,430 00	
5	For salaries and expenses of district courts, a sum not exceeding forty-one thousand dollars	41,000 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding seventy thousand dollars	70,000 00	
7	For criminal costs in the superior court, a sum not exceeding thirty-six thousand dollars	36,000 00	
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding nineteen thousand dollars	19,000 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand one hundred dollars	1,100 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding six thousand dollars	6,000 00	
12	For auditors, masters and referees, a sum not exceeding three thousand dollars	3,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding seven thousand three hundred thirty-five dollars	7,335 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding sixteen thousand dollars	16,000 00	
16	For highways, including state highways, bridges and land damages, a sum not exceeding ninety-eight thousand dollars	98,000 00	
17	For law libraries, a sum not exceeding five hundred fifty dollars	550 00	
18	For training school, a sum not exceeding six thousand five hundred dollars	6,500 00	
19	For county aid to agriculture, a sum not exceeding seven thousand five hundred dollars	7,500 00	

Appropriations, etc., and county tax, Plymouth.	Item		
	22	For pensions, a sum not exceeding three thousand fifteen dollars	\$3,015 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand three hundred forty-four dollars and eighty cents	3,344 80
	23a	For bills of previous year for miscellaneous and contingent expenses, a sum not exceeding two thousand dollars	2,000 00
	24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
		And the county commissioners of Plymouth county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of three hundred sixty-two thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	362,000 00

Worcester County.

Appropriations, etc., and county tax, Worcester.			
	1	For interest on county debt, a sum not exceeding thirteen thousand dollars	\$13,000 00
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding fifty thousand dollars	50,000 00
	4	For clerical assistance in county offices, a sum not exceeding sixty-five thousand dollars	65,000 00
	5	For salaries and expenses of district courts, a sum not exceeding one hundred fifteen thousand dollars	115,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding eighty thousand dollars	80,000 00
	7	For criminal costs in the superior court, a sum not exceeding sixty thousand dollars	60,000 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding fifty-five thousand dollars	55,000 00
	9	For trial justices, a sum not exceeding one thousand dollars	1,000 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding two thousand dollars	2,000 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding fifteen thousand dollars	15,000 00
	12	For auditors, masters and referees, a sum not exceeding twelve thousand dollars	12,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding twenty-five thousand dollars	25,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding forty-five thousand dollars	45,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding two hundred ninety thousand dollars	290,000 00
	17	For law libraries, a sum not exceeding seven thousand dollars	7,000 00
	18	For training school, a sum not exceeding twenty-two thousand dollars	22,000 00
	19	For county aid to agriculture, a sum not exceeding twenty-five thousand dollars	25,000 00
	21	For Mount Wachusett and Purgatory Chasm state reservations, a sum not exceeding ten thousand five hundred dollars	10,500 00

Item			
22	For pensions, a sum not exceeding seventeen thousand dollars	\$17,000 00	Appropriations, etc., and county tax, Worcester.
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding four thousand dollars	4,000 00	
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00	
	And the county commissioners of Worcester county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of seven hundred fifteen thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	715,000 00	

Approved May 3, 1923.

AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO BORROW ADDITIONAL MONEY FOR SCHOOL PURPOSES. *Chap.343*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of a school building and originally equipping and furnishing said building, the city of Pittsfield may, from time to time, borrow such sums as may be necessary, not exceeding in the aggregate one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Pittsfield School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

City of Pittsfield may borrow money for school purposes.

Pittsfield School Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved May 3, 1923.

AN ACT AUTHORIZING THE CITY OF EVERETT TO PENSION ANNIE M. PARKER. *Chap.344*

Be it enacted, etc., as follows:

SECTION 1. The city of Everett may pay to Annie M. Parker of said city, a former employee of the Parlin Memorial Library in said city, an annual pension of two hundred and twenty-five dollars in equal monthly instalments.

City of Everett may Pension Annie M. Parker.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved May 3, 1923.

AN ACT AUTHORIZING THE CITY OF NORTHAMPTON TO ESTABLISH AND MAINTAIN A SANITARY STATION ON CERTAIN LAND OF THE COUNTY OF HAMPSHIRE IN SAID CITY. *Chap.345*

Be it enacted, etc., as follows:

The city of Northampton, subject to the approval of the county commissioners of Hampshire county, may establish and

City of Northampton may establish,

etc., a sanitary station on certain land of Hampshire county.

may, subject to such approval, maintain in said city, a sanitary station on land of said county adjacent to the county court house.

Approved May 3, 1923.

Chap.346 AN ACT RELATIVE TO VACATIONS FOR LABORERS IN CERTAIN CITIES.

Be it enacted, etc., as follows:

G. L. 41, § 111, etc., amended.

Section one hundred and eleven of chapter forty-one of the General Laws, as amended by section ten of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the ninth and tenth lines, the words "who is classified by the commissioners of civil service", and by striking out in the eleventh, twelfth, thirteenth and fourteenth lines, the words "in the labor service, under regulations established by said commissioners for cities to which the labor rules adopted by said commissioners are or may become applicable", — so as to read as follows:—

Vacations for laborers in cities and towns.

Section 111. In any town which accepted chapter two hundred and seventeen of the acts of nineteen hundred and fourteen, all persons classified as laborers, or doing the work of laborers, regularly employed by such town, shall be granted a vacation of not less than two weeks during each year of their employment, without loss of pay. In any city which accepted said chapter the city council may determine that a vacation of two weeks without loss of pay shall be granted to every person regularly employed by such city as a common laborer, skilled laborer, mechanic or craftsman. If such vacations are authorized, they shall be granted by the heads of the executive departments of the city at such times as in their opinion will cause the least interference with the performance of the regular work of the city. A person shall be deemed to be regularly employed, within the meaning of this section, if he has actually worked for the city or town for thirty-two weeks in the aggregate during the preceding calendar year.

Approved May 3, 1923.

Definition.

Chap.347 AN ACT TO PENALIZE THE REMOVAL OR CONCEALMENT OF AUTOMOBILES WITH INTENT TO DEFRAUD INSURERS AND REGULATING THE DISPOSITION OF PROSECUTIONS THEREFOR.

Be it enacted, etc., as follows:

G. L. 266, new section after § 27.

Penalty for removal or concealment of automobiles with intent to defraud insurers.

SECTION 1. Chapter two hundred and sixty-six of the General Laws is hereby amended by inserting after section twenty-seven the following new section:— *Section 27A.* Whoever, with intent to defraud the insurer, removes or conceals an automobile belonging to himself or another which is at the time insured against theft, or whoever, with intent as aforesaid, aids or abets in such removal or concealment, shall be punished by imprisonment in the state prison for not more than five years or by imprisonment in jail or house of correction for not less than one year.

SECTION 2. Section twenty-nine of said chapter two hundred and sixty-six is hereby amended by striking out the words "the preceding section", in the second line, and inserting in place thereof the words: — section twenty-seven A or twenty-eight, — so as to read as follows: — *Section 29.* A complaint or indictment for the violation of any provision of section twenty-seven A or twenty-eight shall not, unless the purposes of justice require such disposition, be placed on file or disposed of except by trial and judgment according to the regular course of criminal proceedings. It shall be otherwise disposed of only upon motion in writing, stating specifically the reasons therefor and verified by affidavit if facts are relied on. If the court or justice certifies in writing that he is satisfied that the cause relied on exists and that the interests of public justice require the allowance thereof, such motion shall be allowed, and said certificate shall be filed in the case.

G. L. 266, § 29, amended.

Disposition of prosecutions under sections 27A and 28.

Approved May 3, 1923.

AN ACT AUTHORIZING THE TOWN OF CLINTON TO TAKE WATER FOR WATER SUPPLY PURPOSES FROM THE WACHUSETT RESERVOIR OF THE METROPOLITAN WATER SYSTEM.

Chap. 348

Be it enacted, etc., as follows:

SECTION 1. The town of Clinton is hereby authorized to take water to an amount not exceeding five hundred million gallons per year until such time as a further amount is authorized by the general court for water supply purposes for its own inhabitants from the Wachusett reservoir, or from any available pipe line or other structure leading from said reservoir upon such terms and conditions as may be mutually agreed upon by the metropolitan district commission and the town of Clinton, but such terms shall not include any charge for water used or to be used under this act; and the town of Clinton may enter upon the lands of the commonwealth at such place or places or in such manner as may be approved by the metropolitan district commission for the purpose of constructing and maintaining thereon pipes or pipe lines or other structures for the purpose of conveying such water; provided, that for all damages caused to the commonwealth by all such work or construction the town of Clinton shall pay to the commonwealth such compensation as may be agreed upon between the said town and the said commission, and, if they cannot agree, such compensation as shall be determined by a master to be appointed by the supreme judicial court on the petition of either party interested, the report of such master, when made and accepted by said court, to be final and binding on all parties.

Town of Clinton may take water for water supply purposes from Wachusett reservoir of metropolitan water system.

May enter upon state lands, etc.

Proviso.

SECTION 2. For the purpose of carrying out the provisions of this act the town of Clinton may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of Clinton Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than

May borrow money, etc.

Town of Clinton Water Loan, Act of 1923.

thirty years. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 3. This act shall take effect upon its passage.

Approved May 5, 1923.

Chap.349 AN ACT AUTHORIZING THE CITY OF MALDEN TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of
Malden may
borrow money
for school
purposes.

SECTION 1. For the purpose of acquiring land for and the construction of schoolhouses, including the cost of original equipment and furnishings, the city of Malden may, from time to time, borrow such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Malden Schoolhouse Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Malden
Schoolhouse
Loan, Act of
1923.

SECTION 2. This act shall take effect upon its passage.

Approved May 5, 1923.

Chap.350 AN ACT RELATIVE TO THE WAGES OF TEMPORARY LABORERS EMPLOYED BY THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

G. L. 92, § 64,
amended.

Chapter ninety-two of the General Laws is hereby amended by striking out section sixty-four and inserting in place thereof the following: — *Section 64.* The wages paid by the commission to laborers temporarily employed shall be not less than the wages paid to laborers permanently employed.

Wages of
temporary
laborers
employed by
metropolitan
district
commission.

Approved May 5, 1923.

Chap.351 AN ACT RELATIVE TO THE ALTERATIONS OF GRADE CROSSINGS.

Be it enacted, etc., as follows:

G. L. 159, § 59,
amended.

SECTION 1. Section fifty-nine of chapter one hundred and fifty-nine of the General Laws is hereby amended by inserting after the word "situated" in the third line the words: — , or the division of highways of the department of public works, if the crossing and its approaches are in direct continuation of a state highway, — so as to read as follows: — *Section 59.* If a public way and a railroad cross each other, and the board of aldermen of the city or the selectmen of the town where the crossing is situated, or the division of highways of the department of public works, if the crossing and its approaches are in direct continuation of a state highway, or the directors of the railroad corporation, or the directors of a railway company having tracks on said way, deem it necessary for the security or convenience of the public that an alteration not involving the abolition of a crossing at grade should be made in the crossing, the approaches

Alteration of
railroad
crossings.

thereto, the location of the railroad or way, or in a bridge at the crossing, they shall apply to the county commissioners, or, if the crossing is situated, in whole or in part, in Boston, to the department, who shall, after public notice, hear all parties interested, and, if they decide that such alteration is necessary, shall prescribe the manner and limits within which it shall be made, and shall forthwith certify their decision to the parties and to said department. This proceeding may include any case where there is need of the rebuilding of a highway bridge or any structural change or renewal in order to strengthen or improve it. If any railway company is authorized to lay and use tracks upon the said way, the said company shall bear such part of the expense of building, rebuilding, changing, renewing, repairing or improving a bridge forming a part of said way, or of altering or improving the approaches thereto, as the commission provided for in sections sixty-one and sixty-two deem just.

Railway companies to bear part of expense, when, etc.

SECTION 2. Section sixty-one of said chapter one hundred and fifty-nine is hereby amended by inserting after the word "benefited" in the eleventh line the following: — ; and if the crossing and its approaches are in direct continuation of a state highway, the commonwealth may be included in such apportionment and its share shall be paid from the annual appropriation for maintenance and repair of state highways, — so as to read as follows: — *Section 61.* A commission of three disinterested persons, appointed as provided in the following section, shall determine which party shall carry such decision into effect and which party shall pay the charges and expenses of making such alteration and the future charges for keeping such bridge or crossing and the approaches thereto in repair, as well as the costs of the application to the county commissioners, or the department, and of the hearing before said commission; and it may apportion all such charges, expenses and costs between the railroad corporation, the railway company having tracks on said way, and the counties, cities or towns where said crossing is situated and other cities and towns which may be specially benefited; and if the crossing and its approaches are in direct continuation of a state highway, the commonwealth may be included in such apportionment and its share shall be paid from the annual appropriation for maintenance and repair of state highways. If a railway company is authorized to lay and use tracks upon any bridge in a highway built, repaired or altered as above provided for, or the approaches to which are altered or improved as above provided for, the said commission shall determine what part of the charges and expenses of making such changes or improvements, or of keeping such bridge or crossing and approaches in good condition, shall be paid by said railway company.

G. L. 159, § 61, amended.

A commission to determine which party shall effect alteration, pay charges, etc.

Apportionment of charges, costs, etc.

Commonwealth may be included in apportionment, etc. Payments by railway companies.

SECTION 3. Section sixty-two of said chapter one hundred and fifty-nine is hereby amended by inserting after the word "department" in the second line the words: — , the division of highways of the department of public works, — so as to read as follows: — *Section 62.* Upon application of the county commissioners, the department, the division of highways of the de-

G. L. 159, § 62, amended.

Commission to act in connection

with alteration
of crossings,
appointment,
etc.

partment of public works, the board of aldermen, the selectmen or the directors of the railroad corporation or of the railway company for the appointment of such commission, the superior court shall cause notice thereof to be given to the other parties interested fourteen days at least before the time fixed for the hearing; and thereupon, after hearing, shall appoint such commission, one member of which shall be a member of and designated by the department. The commission shall meet as soon as may be after its appointment, and, after notice to and a hearing of the parties, shall make a written award and return it to said court.

Approved May 5, 1923.

Chap.352 AN ACT ESTABLISHING THE SALARY OF THE COURT OFFICER DESIGNATED TO ACT AS CHIEF DEPUTY SHERIFF FOR ATTENDANCE ON THE SUPERIOR COURT IN MIDDLESEX COUNTY.

Be it enacted, etc., as follows:

G. L. 221, § 71,
amended.

SECTION 1. Section seventy-one of chapter two hundred and twenty-one of the General Laws is hereby amended by striking out, in the tenth line, the words "twenty-seven hundred and twenty-four" and inserting in place thereof the words: — three thousand, — so as to read as follows:— *Section 71.* The sheriffs of Suffolk and Middlesex counties may each designate one court officer to act as chief deputy sheriff for attendance on the superior court in his county. In Worcester county the sheriff may designate one court officer as chief court officer for attendance on the supreme judicial and superior courts. Such officers, under the orders of the sheriffs of their respective counties, in addition to their regular duties as court officers, shall supervise, direct and assign the officers of their respective courts. The salary of the chief deputy for Suffolk county shall be thirty-three hundred and sixty dollars and for Middlesex county three thousand dollars, to be paid by their respective counties.

Chief deputy
sheriffs for
Suffolk and
Middlesex
counties and
chief court
officer for
Worcester
county,
designation,
duties,
salaries, etc.

To be
submitted to
Middlesex
county
commissioners.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of the county of Middlesex; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 5, 1923.

Chap.353 AN ACT PROVIDING FOR IMPROVING THE SHIP CHANNEL IN THE NEPONSET RIVER BETWEEN THE NEW NEPONSET BRIDGE AND GODFREY'S WHARF, SO-CALLED, IN MILTON.

Be it enacted, etc., as follows:

SECTION 1. The department of public works shall during the year nineteen hundred and twenty-three straighten and deepen the ship channel in the Neponset river between the new Neponset highway bridge and Godfrey's wharf, so-called, in Milton in such manner as to eliminate the unnavigable curves in the channel, and to provide a channel at least fifty feet wide and at least six feet deep at mean low tide.

Expenditures.

SECTION 2. For said purposes, the department may expend a sum not exceeding fifty thousand dollars, but no work shall be

Department
of public
works may
improve ship
channel in
Neponset
river, etc.

begun hereunder until ten thousand dollars of said sum has been contributed by individuals or corporations and paid into the state treasury, nor until an appropriation sufficient to cover the balance has been made by the general court.

Individuals and corporations to contribute, etc.

Approved May 5, 1923.

AN ACT AUTHORIZING THE COMMISSIONER OF INSURANCE TO LICENSE VOLUNTARY ASSOCIATIONS AS INSURANCE AGENTS, BROKERS AND ADJUSTERS.

Chap. 354

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section one hundred and seventy-two the following:— *Section 172A.* The licenses described in sections one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight and one hundred and seventy-two may be issued to any voluntary association, as defined in section one of chapter one hundred and eighty-two, which is organized exclusively for the purpose of acting as insurance agent or broker, or adjuster of fire losses and which, in case of an association organized to act as an insurance agent or broker, by its written instrument or declaration of trust limits the holding and ownership of shares or certificates of participation therein to resident insurance agents and brokers. All the trustees shall be residents of the commonwealth. Such association and the trustees thereof shall be subject to section six of said chapter one hundred and eighty-two. Such licenses, together with the association and the trustees thereof named in the license, shall be subject to the sections of this chapter hereinbefore mentioned, except as otherwise provided herein. Each license shall specify the trustees, not exceeding five, who may act thereunder in the name and on the behalf of the association. Each trustee shall file the statement or application required by law. A duplicate original of the written instrument or declaration of trust creating the association and a certified copy of the by-laws thereof, if any, shall be filed with said statements or applications. The license may be revoked or suspended as to the association or as to any trustee named therein. The trustees shall file with the commissioner within thirty days after the adoption thereof, duplicate originals of all amendments to the written instrument or declaration of trust and certified copies of all amendments to the by-laws, if any. The trustees shall at once notify the commissioner in writing in case of the termination of the association, and upon receipt of such notice the commissioner shall forthwith revoke the license of the association without a hearing. Each trustee specified in the license shall be personally liable to the penalties of the insurance laws for any violation thereof, although the act of violation is done in the name or in the behalf of the association, and shall be personally liable for all of the debts and obligations of the association, notwithstanding any provision in the written instrument or declaration of trust of such association limiting the liability of the trustees thereunder, and such pro-

G. L. 175, new section after § 172.

Voluntary associations may be licensed as insurance agents, brokers and adjusters.

Residence of trustees.

Association, trustees and licenses subject to certain laws, etc.

License to specify trustees who may act, etc.

Copies of declaration of trust, etc., to be filed.

Revocation, etc., of license.

Copies of amendments to declaration of trust and by-laws to be filed, etc.

Notice of termination of association.

Liability of trustees.

Commissioner of insurance may require information, examine books, etc.

Penalty for failure to file copies, for failure to notify of termination of association, etc.

Certain provisions applicable to licenses.

vision, if any, shall be deemed to have been waived by the trustees by their filing the aforesaid statements or applications. The commissioner may at any time require such information as he deems necessary in respect to the association, its trustees, agents or affairs, and may make such examination of its books, records and affairs as he deems necessary and for the aforesaid purposes shall have all the powers conferred by section four. Whoever, being a trustee of an association licensed under this section, fails to file with the commissioner copies of all amendments to the written instrument or declaration of trust, or to the by-laws, if any, or fails to notify the commissioner of the termination of such association, or whoever knowingly or wilfully files with the commissioner false copies of the written instrument or declaration of trust or amendments thereof, or of the by-laws, if any, or amendments thereof, or whoever, being specified in the license of such association as a trustee thereof, acts under said license after the termination of such association, shall be punished by a fine of not less than twenty nor more than five hundred dollars. Sections one hundred and seventy-four A and one hundred and seventy-four B shall apply to licenses issued under this section. *Approved May 5, 1923.*

Chap.355 AN ACT AUTHORIZING THE TOWN OF BELMONT TO PAY A CERTAIN SUM OF MONEY TO THE MOTHER OF CHARLES IRVING LOHR.

Be it enacted, etc., as follows:

Town of Belmont may pay sum of money to mother of Charles Irving Lohr.

SECTION 1. The town of Belmont may pay to Edith A. Lohr of Belmont, mother and next friend of Charles Irving Lohr, minor, for the use of the said minor, a sum not exceeding twenty-five hundred dollars, as compensation for injuries sustained by him in the chemical laboratory of the Belmont high school on October thirty-first, nineteen hundred and twenty-two.

To be submitted to voters. Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the said town; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 5, 1923.

Chap.356 AN ACT AUTHORIZING THE CITY OF BEVERLY TO PENSION WALTER FARNHAM.

Be it enacted, etc., as follows:

City of Beverly may pension Walter Farnham.

SECTION 1. The city of Beverly may retire Walter Farnham, for twenty-six years superintendent of its city home, on an annual pension of three hundred and fifty dollars, payable in equal weekly instalments.

To be submitted to city council, etc. Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 5, 1923.

AN ACT RELATIVE TO THE SALARY OF THE MAYOR OF THE CITY *Chap.357*
OF WORCESTER.

Be it enacted, etc., as follows:

Section fifteen of chapter four hundred and forty-four of the acts of eighteen hundred and ninety-three, as amended by section one of chapter two hundred and seventy-four of the acts of nineteen hundred and two, is hereby further amended by striking out, in the third line, the words "five thousand" and inserting in place thereof the words: — seventy-five hundred, — so as to read as follows: — *Section 15.* The salary of the mayor shall be fixed by the city council, but shall not exceed seventy-five hundred dollars, and shall not be increased or diminished to take effect during the term for which he is elected.

1893, 444, § 15,
etc., amended.

Salary of mayor
of city of
Worcester.

Approved May 5, 1923.

AN ACT TO COMPEL THE BOSTON ELEVATED RAILWAY COMPANY *Chap.358*
TO MAINTAIN AND KEEP IN REPAIR THE PORTIONS OF HIGH-
WAYS OCCUPIED BY ITS TRACKS.

Be it enacted, etc., as follows:

SECTION 1. During the period of public operation of the Boston Elevated Railway Company under the provisions of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, and acts in amendment thereof and supplementary thereto, the Boston Elevated Railway Company shall keep in repair, to the satisfaction of the superintendent of streets, street commissioners, road commissioners, or surveyors of highways, or the division of highways of the department of public works, in the case of state highways, or the metropolitan district commission, in the case of metropolitan boulevards, the paving, upper planking or other surface material of the portions of streets, roads and bridges occupied by its tracks; and if such tracks occupy unpaved streets or roads, shall, in addition, so keep in repair eighteen inches on each side of the portion occupied by its tracks, and shall be liable for any loss or injury that any person may sustain by reason of the carelessness, negligence or misconduct of its agents and servants in the construction, management, and use of its tracks.

Boston Elevated Railway Company to maintain and keep in repair portions of highways occupied by its tracks, etc.

Liability for loss or injury, etc.

SECTION 2. When a party upon the trial of an action recovers damages of the commonwealth or of a city or town for an injury caused to his person or property by a defect in a street, highway, or bridge occupied by the tracks of said company, if said company is liable for such damages, and has had reasonable notice to defend the action, the commonwealth, city or town may recover of the said company, in addition to the damages, all costs of both plaintiff and defendant in the action.

Recovery from Boston Elevated Railway Company of damages paid by state, cities or towns, etc.

SECTION 3. During the period of public operation of the Boston Elevated Railway Company under the provisions of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, and acts in amendment thereof and

Boston Elevated Railway Company relieved from certain tax requirements.

supplementary thereto, said company shall not be required to make the returns nor shall there be assessed upon or paid by it the taxes required by sections sixty-one to sixty-six, inclusive, of chapter sixty-three of the General Laws.

Approved May 5, 1923.

Chap. 359 AN ACT RELATIVE TO THE BORROWING OF MONEY BY CITIES AND TO THE PAYMENT OF INDEBTEDNESS BY CITIES, TOWNS AND DISTRICTS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 44, § 5A,
etc., amended.

SECTION 1. Chapter forty-four of the General Laws is hereby amended by striking out section five A, inserted by chapter twenty-eight of the acts of nineteen hundred and twenty-two, and inserting in place thereof the following: — *Section 5A.* To provide the necessary funds to meet liabilities authorized by section thirty-four, the treasurer of a city, with the approval of the official whose approval is required by the city charter in the borrowing of money, may borrow on notes of the city, during any one month between the beginning of the financial year and the time when the revenue loan order shall become finally effective and any period for filing a petition for a referendum thereon shall have expired, a sum not exceeding one twelfth of the amount obtained by adding the previous year's tax levy to the sum received from the commonwealth on account of the income tax during the preceding year. The amount so borrowed shall be deemed a part of the amount which may be borrowed under section four. The provisions of city charters relative to loan orders shall not otherwise apply to loans issued under this section.

Cities may
borrow money
to meet ex-
penditures by
city officials in
anticipation of
appropriations.

G. L. 44, § 19,
amended.

SECTION 2. Section nineteen of chapter forty-four of the General Laws is hereby amended by striking out, in the third line, the word "six" and inserting in place thereof the words: — five A, six, six A, — and by striking out, in the seventh line, the word "therefor" and inserting in place thereof the words: — for the serial loan, — so as to read as follows: — *Section 19.* Cities, towns and districts shall not issue any notes payable on demand, and they shall provide for the payment of all debts, except those incurred under sections four, five, five A, six, six A and seventeen, by such annual payments as will extinguish the same at maturity, and so that the first of such annual payments on account of any loan shall be made not later than one year after the date of the bonds or notes issued for the serial loan, and so that the amount of such annual payments in any year on account of such debts, so far as issued, shall not be less than the amount of principal payable in any subsequent year, and such annual amounts, together with the interest on all debts, shall, without further vote, be assessed until the debt is ex-

Provision for
payment of in-
debtedness by
cities, towns
and districts.

tinguished; provided, that in the case of bonds or notes issued for establishing or purchasing a water supply system for its inhabitants, for the purchase of land for the protection thereof or for acquiring water rights, the first of such annual payments shall be made not later than three years after the date thereof.

Approved May 7, 1923.

Proviso.

AN ACT RELATIVE TO THE PAYMENT OF BONDS TO BE ISSUED BY THE COMMONWEALTH FOR THE ENLARGEMENT OF THE HARVARD SQUARE SUBWAY STATION AND TO THE RENTAL TO BE PAID FOR SUCH ENLARGEMENT BY THE BOSTON ELEVATED RAILWAY COMPANY.

Chap. 360

Whereas, There is a serious congestion and overcrowding of passengers at certain hours of the day on certain platforms in the Harvard Square station of the Cambridge subway, and *whereas*, such condition should be remedied as soon, and with as little unnecessary expense, as possible, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter four hundred and eighty-three of the acts of nineteen hundred and twenty-two is hereby amended by striking out all after the word "by" in the ninth line down to and including the word "rental" in the fourteenth line and inserting in place thereof the words: — the total amount of the principal of said bonds maturing annually, — so as to read as follows: — *Section 2.* No work of construction shall be done or contract therefor let, unless and until the Boston Elevated Railway Company shall execute a contract for the use of such alterations or extensions for a term ending with that of the contract for the use of the Cambridge subway. The company shall pay to the commonwealth an annual rental equal to the total interest obligations of the commonwealth in respect of the bonds issued to carry out the purposes of this act for the year on account of which said rental is paid, increased by the total amount of the principal of said bonds maturing annually, which increase shall be applied to retiring subsequently maturing bonds as they fall due. Any alteration or extension made under this act shall be deemed a part of the Cambridge subway. The provisions of section eight of chapter three hundred and sixty-nine of the General Acts of nineteen hundred and nineteen shall apply to the work authorized by this act.

1922, 483, § 2, amended.

Contract by Boston Elevated Railway Company for use of alterations, etc., in Harvard Square subway station, annual rental, etc.

SECTION 2. Section four of said chapter four hundred and eighty-three is hereby amended by striking out all after the word "year" the first time it occurs in the sixteenth line down to and including the word "act" in the twentieth line and inserting in place thereof the words: — shall, as nearly as is in the opinion of the state treasurer practicable, be the same, — so as to read as follows: — *Section 4.* The state treasurer shall upon request of the commission issue and sell at public or private sale bonds of the commonwealth, registered or with interest

1922, 483, § 4, amended.

State treasurer to issue bonds, etc., for enlargement of Harvard

Square subway station.

Cambridge Subway Improvement Loan.

Interest.

Rents, tolls, etc., how to be applied, etc.

1922, 540, § 2, repealed.

Provisions of this act deemed to be continuation of chapter 483, Acts of 1922.

When to take effect.

coupons attached, as he may deem best, to an amount, to be specified from time to time by the commission, sufficient to provide means for the payment for the work and construction herein authorized and the necessary expenses incurred by the commission in connection therewith but not in excess of one hundred and fifty thousand dollars. All such bonds shall be designated on their face, Cambridge Subway Improvement Loan, and shall be on the serial payment plan for such maximum term of years as the governor may recommend to the general court in accordance with section three of article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amount payable each year shall, as nearly as is in the opinion of the state treasurer practicable, be the same, and shall bear interest payable semi-annually at such rate as the state treasurer, with the approval of the governor and council, shall fix. All rents, tolls or other compensation received by the commonwealth for the use of the property constructed under the authority hereof shall be applied to the payment of principal and interest upon said bonds. Any premium received upon the sale of said bonds shall be used in the retirement or purchase thereof.

SECTION 3. Section two of chapter five hundred and forty of the acts of nineteen hundred and twenty-two is hereby repealed.

SECTION 4. Except as otherwise provided herein, the provisions of this act shall be deemed to be a continuation of said chapter four hundred and eighty-three, and nothing herein contained shall affect any work of construction done under authority thereof, any contract let for such work or bond given in connection therewith.

SECTION 5. This act shall take effect upon its acceptance by vote of the public trustees and of the directors of the Boston Elevated Railway Company, and upon the execution by said company and the commonwealth of a contract, for the use of the alterations or extensions provided for by said chapter four hundred and eighty-three, in accordance with the provisions of said chapter four hundred and eighty-three as amended by this act or upon the alteration by said company and the commonwealth of the existing contract for such use to conform to the provisions of this act.

Approved May 7, 1923.

Chap. 361 AN ACT PROVIDING FOR THE ESTABLISHMENT OF SPECIAL DAY CLASSES FOR DEAF PUPILS IN THE PUBLIC SCHOOLS OF CERTAIN TOWNS.

Be it enacted, etc., as follows:

G. L. 69, new section after § 27.

Department of education may establish special day classes for deaf pupils in public schools of certain towns.

Chapter sixty-nine of the General Laws is hereby amended by adding at the end thereof the following new section: — *Section 28.* The department may, in co-operation with the school committee, establish in not more than six towns, each having ten or more deaf pupils resident therein or in towns accessible thereto, special day classes for such deaf pupils. Such classes, when established, shall be conducted by the school committee,

subject to the approval of the department. In connection with said classes, there shall be provided instruction in lip-reading. The town shall be reimbursed by the commonwealth for the reasonable cost of maintenance of such classes, including the necessary traveling expenses of the pupils.

Instruction in lip-reading.

State reimbursement.

Approved May 7, 1923.

AN ACT PERFECTING THE STATUTE ESTABLISHING THE COMMISSION ON ADMINISTRATION AND FINANCE, INSERTING ITS PROVISIONS AS SPECIFIC AMENDMENTS OF THE GENERAL LAWS AND HARMONIZING SAID GENERAL LAWS WITH SAID STATUTE.

Chap. 362

Be it enacted, etc., as follows:

SECTION 1. Chapter seven of the General Laws, as amended by chapter two hundred and ninety-eight of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out all of said chapter and inserting in place thereof the following: —

G. L. 7, etc., amended.

CHAPTER 7.

COMMISSION ON ADMINISTRATION AND FINANCE.

Section 1. Unless a contrary intention clearly appears, the following words shall have the following meanings:

Definitions.

“Commission”, the commission on administration and finance.

“Finance committee”, the committee of the executive council appointed to consider matters of finance.

Section 2. There shall be a commission on administration and finance, which shall serve directly under the governor and council within the meaning of Article LXVI of the amendments to the constitution of the commonwealth.

Commission on administration and finance.

Section 3. The commission shall consist of four commissioners, one of whom shall annually be appointed for a term of four years by the governor, with the advice and consent of the council. The governor shall designate one of said commissioners as chairman. The chairman shall receive such salary not exceeding seven thousand dollars, and each of the other commissioners, such salary not exceeding sixty-five hundred dollars, as the governor and council may determine. Each commissioner shall devote his entire time to the duties of his office.

Commissioners, appointment, salaries, etc.

Section 4. Said commission shall be organized in three bureaus, namely: a comptroller's bureau, a budget bureau and a purchasing bureau. Each bureau shall be in charge of a commissioner of the commission to be designated by the governor, with the advice and consent of the council, and to be known, respectively, as the comptroller, budget commissioner and state purchasing agent. Said purchasing agent shall give bond to the state treasurer in a sum to be fixed by the governor and council for the faithful performance of his duties and for the rendering of a proper account of all money entrusted to him for the use of the commonwealth. Any commissioner designated as aforesaid shall be a person of ability and extended experience in the line of work required in his bureau.

Organization in three bureaus in charge of comptroller, budget commissioner and state purchasing agent, respectively. Purchasing agent to give bond.

Qualifications of commissioners.

Division of
personnel and
standardiza-
tion.

Director of
personnel and
standardiza-
tion and depu-
ties, appoint-
ment, removal,
salaries, etc.

Employment
of persons, etc.

Expenditures.

Commission
to consider
possibility of
promoting
economy and
efficiency, etc.

To consider
and report
upon certain
questions.

To report, on
request, etc.,
as to estimates
of departments,
etc., made to
budget com-
missioner, etc.

To make
special
examination,
on request,
etc., of
matters affect-
ing manage-
ment or finances
of depart-
ments, etc.

May make
special
examination of
management or
finances of de-
partments, etc.

May require
attendance,
etc., of wit-

Section 5. There shall be directly under the commission a division of personnel and standardization, in charge of a director of personnel and standardization.

Section 6. The commission shall, with the approval of the governor and council, appoint, and fix the salary of, the director of personnel and standardization and may, with like approval, remove him. The commission may, subject to the approval of the governor and council, appoint and fix the salaries of such number of deputies as the governor and council shall approve; and it may, with like approval, remove them. It may also employ such other persons as the work of the commission may require and remove them, and shall fix their compensation. The commission may expend such sums of money for expenses, including traveling expenses of its officers and employees, as the general court may appropriate.

Section 7. The commission shall inquire into the business affairs of the commonwealth and the laws governing them, and shall consider the possibility of promoting economy and efficiency and avoiding useless labor and expense therein. It shall recommend to the governor and council and to the general court, if in session, such measures as in its judgment will tend to accomplish this result. It shall consider and report upon the following questions among others: changes in the laws relating to matters of finance, reorganization, consolidation or co-ordination of departments and institutions, changes in methods of administration, classification of employees, fixing maximum and minimum salaries and standardizing vacations.

Section 8. On the request of either branch of the general court, or of the ways and means committee of either branch, or of the governor, or of the council, or of the finance committee, the commission shall make a report of such of the estimates of departments, officers and commissions made to the budget commissioner under sections three and four of chapter twenty-nine as may be required, and it may make recommendations relative thereto.

Section 9. On request of either branch of the general court or of the ways and means committee of either branch, or of the governor, or of the finance committee, the commission shall make a special examination of, and give to them any information in its possession relative to, any matter affecting the management or finances of any department, officer, commission or undertaking which receives an annual appropriation of money from the commonwealth, including annual appropriations to be met by assessments.

Section 10. The commission may make a special examination of the management or finances of any department, officer, commission or undertaking which receives annual appropriations of money from the commonwealth, including annual appropriations to be met by assessments, and may report thereon from time to time to the governor and council and to the general court, if in session.

Section 11. Whenever requested to make a special examination under section nine, or after first obtaining the approval of

the governor or of the finance committee in making a special examination under the preceding section, any commissioner or the director of personnel and standardization may require the attendance and testimony of witnesses and the production of all books, papers, contracts and documents relating thereto. Witnesses shall be summoned in the same manner and shall be paid the same fees as witnesses before the superior court. The commission may prescribe rules and regulations for the conduct of hearings, and any commissioner or said director may administer oaths to witnesses or take their affirmation. If any person summoned and paid as a witness refuses to attend, or to be sworn or to affirm, or to answer any question, or to produce any book, contract, document or paper pertinent to the matter before any commissioner or said director, a justice of the supreme judicial or the superior court, upon application by said commissioner or director, may issue an order requiring such person to appear before said commissioner or director, and to produce his books, contracts, documents and papers and to give evidence touching the matter in question. Failure to obey such an order of the court may be punished by the court as a contempt thereof. Any person summoned and paid who refuses to attend, or to be sworn or to affirm, or to answer any proper question, or to produce any book, contract, document or paper, pertinent to the matter before any commissioner or said director, and any person who wilfully interrupts or disturbs any hearing, or who is disorderly thereat, shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than one month, or both. Upon application by any commissioner or said director, commissions to take depositions of persons without the commonwealth may be issued by a justice of the supreme judicial or the superior court, to be used in hearings before any commissioner or said director, and all laws and rules relating to such commissions in civil actions shall apply to commissions issued hereunder. This section shall not be construed to compel any person to give any testimony or to produce any evidence, documentary or otherwise, which may tend to incriminate him.

Section 12. In making any examination or investigation authorized under this chapter, any commissioner or the director of personnel and standardization may require the production of books, papers, contracts and documents relating to any matter within the scope of such examination or investigation.

Section 13. The comptroller shall examine all accounts and demands against the commonwealth, excepting those for the salaries of the governor and of the justices of the supreme judicial court, for the pay rolls of the executive council and members of the general court, and those due on account of the principal or interest of a public debt. He may require affidavits that articles have been furnished, services rendered and expenses incurred, as claimed. Such affidavit for any institution shall be made by the disbursing officer thereof. The comptroller shall make a certificate specifying the amount due and allowed on each account or demand so examined, the name of the person to whom such amount is payable, the law authorizing the same

nesses, production of books, etc.

Rules and regulations for conduct of hearings.

Court enforcement of attendance, etc., of witnesses.

Penalties.

Taking of depositions, etc.

Section, how not to be construed.

Commissioners, etc., may require production of books, etc.

Comptroller to examine and certify accounts and demands against commonwealth, etc.

and the head of expenditure to which it is chargeable. If the general court, by express statute, authorizes a department or public officer to approve accounts or demands against the commonwealth, and an appropriation therefor has been made, the comptroller shall, when such accounts or demands have been properly approved, promptly audit and certify such an amount, not exceeding the appropriation therefor, as he may deem correct; and if it appears to him that there are improper charges in said accounts or demands he shall report the same to the governor and council, with a separate certificate therefor. But he shall not certify any bill for printing incurred in violation of section six of chapter five. He shall keep copies of all such certificates and transmit the originals to the governor, who, with the advice and consent of the council, may issue his warrant to the state treasurer for the amount therein specified as due.

Bills and vouchers, etc., to be kept by comptroller.

Copies of certain contracts to be filed with comptroller.

Comptroller to examine and measure state printing.

Expert in printing, employment, duties, etc.

Comptroller to design and instal new accounting system for commonwealth, etc.

Section 14. All original bills and vouchers on which money has been or may be paid from the treasury upon the certificate of the comptroller or the warrant of the governor shall be kept in the comptroller's office; and all departments, officers or commissions authorized to make contracts under which money may be payable from the treasury shall file with the comptroller certified copies thereof.

Section 15. The comptroller shall cause all the printing under the state printing contract to be examined and measured, and no bill for printing shall be allowed unless it is in strict conformity with such contract. He may employ an expert in printing to examine the bills for printing under such contract and perform such other clerical assistance as the comptroller may require.

Section 16. He shall design and instal a new accounting system for the commonwealth as provided by chapter five hundred and forty-five of the acts of nineteen hundred and twenty-two and prescribe the requisite forms and books of account to be used by each department, office, commission and institution of the commonwealth. After such installation, no form or book of account other than that prescribed as aforesaid shall be used without the approval of the comptroller. He may revise such forms, books or system from time to time. He shall prepare and distribute a book of instructions covering the use and application of said new accounting system for the guidance of the accounting personnel in the various departments, offices, commissions and institutions of the commonwealth.

Comptroller to keep general books of account and to determine extent and character of subsidiary accounts to be kept by departments, etc.

Section 17. He shall keep all general books of account and determine the extent and character of subsidiary accounts to be kept by all departments, offices, commissions and institutions of the commonwealth. He shall have full authority to prescribe, regulate and make changes in the methods of keeping and rendering accounts. He shall establish in each such department, office, commission and institution a proper system of accounts, which shall be uniform so far as is practicable, and a proper system of accounting for stores, supplies, materials and products, and may provide, where he deems it necessary, for a continuing inventory thereof. He shall provide such safeguards and systems of checking as will ensure, so far as possible, the proper

To provide for proper collection of revenue due commonwealth.

collection of all revenue due the commonwealth; and, where he deems it necessary, shall provide that forms and receipts shall be numbered consecutively, making each such department, officer, commission or institution responsible for their use or cancellation.

Section 18. The comptroller shall keep a distinct account, under appropriate heads, of all public receipts and expenditures. He shall keep a like account of the school fund and of other public property and of all debts and obligations due to and from the commonwealth; and for such purpose he shall have free access to the books and papers of the several departments, offices, commissions and institutions.

Comptroller to keep account of public receipts and expenditures, of public property, etc.

Section 19. He shall verify all accounting statements included in reports of departments, offices and commissions, other than the commission on administration and finance, before the publication of such reports. No such report shall be published by any such department, office or commission until such statements are so verified and approved.

To verify accounting statements in department reports, etc.

Section 20. The comptroller's bureau shall be properly equipped and shall furnish, when required, all accounting statements relating to the financial status, funds, reserves, appropriation control and cost of operation of the commonwealth at the end of the state fiscal year and at intermediate monthly periods when such information is needed in effecting economies before appropriations have been exhausted, or for other purposes.

Comptroller's bureau to furnish accounting statements, etc.

Section 21. In the exercise of the budget commissioner's functions relative to the preparation of the budget, the records, resources and full co-operation of the comptroller's bureau shall be available.

Bureau's records, etc., available for preparation of budget, etc.

Section 22. The commissioners of the commission, sitting as a board, shall, subject to the approval of the governor and council, make rules, regulations and orders which shall regulate and govern the manner and method of the purchasing, delivering and handling of, and the contracting for, supplies, equipment and other property for the various state departments, offices and commissions, except when they are for legislative or military purposes. Such rules, regulations and orders shall be of general or limited application, and shall, so far as practicable, be uniform, shall be in conformity with existing laws relative to the purchase of articles and materials made by inmates of penal institutions and articles and supplies made by the blind except that such purchase shall be made by or under the direction of the state purchasing agent subject, however, to such approval by the board as would be required if the purchase were made from some other source, and shall include provision for the following:

Rules and regulations governing purchase, delivery, etc., of supplies, equipment, etc.

(1) The advertisement for and the receipt of bids for supplies and other property and the stimulation of competition with regard thereto;

Scope of rules and regulations.

(2) The purchase of supplies and other property without advertisement or the receipt of bids, where the amount involved will not exceed five hundred dollars, when, in the judgment of the state purchasing agent, it is expedient;

(3) The purchase of supplies and other property without competition, in cases of emergency requiring immediate action;

(4) The purchasing of or contracting for certain supplies, equipment and other property by long or short term contracts, or by purchases or contracts made at certain seasons of the year, or by blanket contracts or orders covering the requirements of one or more departments, offices and commissions;

(5) Prescribing the times for submitting estimates for various supplies, equipment and other property;

(6) Regulations to secure the prompt delivery of commissary and other necessary supplies;

(7) Standardization of forms for estimates, orders and contracts;

(8) Standardization of specifications for purchasing supplies, equipment and other property;

(9) Standardization of quality, grades and brands to eliminate unnecessary number of commodities or of grades or brands of the same commodity;

(10) The purchase of supplies and other property locally, upon permission, specific or otherwise, of the state purchasing agent;

(11) The use and disposal of the products of state institutions;

(12) Disposal of obsolete, excess and unsuitable supplies, salvage and waste material and other property and the transfer of same to other departments, offices and commissions;

(13) Storage of surplus supplies, equipment and other property not needed for immediate use;

(14) The testing of commodities or supplies or samples thereof;

(15) Hearings on complaints in respect to the quality, grade or brand of commodities or supplies;

(16) The waiver of rules in special cases.

Rules, etc.,
not to restrict
as to quantity
or nature of
supplies, etc.

Rules, regulations and orders made under this section shall not restrict otherwise than as provided in this section the several state departments, offices and commissions as to the quantity of supplies, equipment or other property which may be purchased or contracted for, for them, or as to the nature thereof.

Removal for
non-com-
pliance with
rules, etc.

Section 23. Any appointed officer failing to comply with any rule, regulation or order made under the preceding section may, after a hearing before the governor and council given to the official concerned, be removed by them.

State purchas-
ing agent
to establish
supply office,
etc.

Section 24. The state purchasing agent shall be provided with quarters in the state house and shall establish a supply office therein. He shall keep on hand a reasonable quantity of office stationery and supplies for the use of executive and administrative departments and offices. He may maintain a proper laboratory for the purpose of testing commodities or samples thereof, or may make use of existing facilities suitable for such purpose.

May maintain
laboratory, etc.

To advise with
state institu-
tions that make

Section 25. The state purchasing agent shall advise with the several state institutions that make or are able to make products

suitable for the needs of state departments, offices and commissions, and with the heads of such departments, offices and commissions, with a view to ascertaining how best to improve or change such products or the quality or price thereof so as to meet the needs of such state departments, offices and commissions, and may make to such institutions such recommendations relating thereto as seem best.

products suitable for needs of state departments, etc.

Section 26. In order best to carry out the provisions of the four preceding sections, and sections fifty-one and fifty-two of chapter thirty, there shall be established an advisory standardization board, consisting of the state purchasing agent as its head and such representatives of the several departments, offices and commissions most affected by said provisions as shall be designated by the heads thereof. Said board shall consider and advise as to the needs of the various state activities, how far they can be reasonably harmonized and covered by standard specifications, and what, if any, materials are so lacking in importance or uniformity as to warrant blanket authorization for their local purchase.

Advisory standardization board, establishment, membership, duties, etc.

Section 27. The state purchasing agent shall furnish to the superintendent of the Massachusetts reformatory such of the paper used in the execution of the contract for state printing as he may need to fill any order for printing received from any department of the commonwealth for printing not included in said contract.

State purchasing agent to furnish paper to Massachusetts reformatory.

Section 28. The division of personnel and standardization may carry on, under the direction of the commission, departmental research, tending to greater co-ordination and standardization of administration, including the making of examinations and investigations, and recommendations based thereon.

Division of personnel and standardization, powers, etc.

It may provide technical advisers to undertake engineering investigations in behalf of such departments, offices and commissions as are not organized to do such work."

Section 29. All departments, officers and commissions before entering upon the preparation of any annual or special report, document or other publication issued by or on behalf of the commonwealth shall submit careful statements of the scope, and estimates of the size, of such publication to the division of personnel and standardization which shall examine them and define the form and extent of such publication, determining the number of pages to which it may extend and whether it shall include maps, plans, photogravures, woodcuts or other illustrations; and no such publication shall be printed unless it bears the certified approval of said division. An appeal may be taken from any decision of said division hereunder to the finance committee, whose decision shall be final. This section shall not apply to publications issued by the officers of either branch of the general court, or issued under special authority given by the general court, or to the regular annual reports of the attorney general, state treasurer, state auditor or state secretary, or to reports of capital trials prepared by the attorney general under section eleven of chapter twelve, or to publications prepared by the state secretary in conformity with sections two and four of chapter five.

No state publication to be printed without approval of division of personnel and standardization.

Appeal.

Certain publications excepted.

Division of personnel and standardization to prepare and print lists of state officials and employees with their salaries or compensation.

Section 30. The division shall collect at least once in every fiscal year such information relative to certain officials and employees of the commonwealth as shall be furnished to it under section thirty-eight of chapter thirty, which shall cover the fiscal year preceding. From the information so collected it shall keep a record, open to public inspection, showing the name, residence, designation, rate of compensation and date of appointment or qualification of every such official and employee, and any increase in the rate of salary or compensation paid him during the preceding fiscal year. The record shall also contain such other information concerning such officials and employees as, in the opinion of the division, may be desirable. The comptroller shall, upon request of the division, verify a list of such officials and employees, the amounts and rates of compensation and other information concerning payments to officials and employees about whom information is furnished. The division shall, on or before April fifteenth in each even numbered year, publish a document containing such information concerning said officials and employees in the employ of the commonwealth on the preceding November thirtieth as, in its opinion, may be of public interest. Said document shall contain such summary and comparative tables as will best show the numbers of officials and employees in the service of the commonwealth during the two years preceding said November thirtieth, and during a further period of two years prior thereto, to be arranged in such manner as will make them of the greatest practical utility. The document may be revised or rearranged at the discretion of the division.

Commissioners to decide questions as to accounting standards, etc.

Section 31. The commissioners, acting as a board, shall decide questions, not involving legislation, which arise on matters relating to accounting standards and practices other than those relating to the establishment of the new accounting system provided for by chapter five hundred and forty-five of the acts of nineteen hundred and twenty-two. Said board shall from time to time authorize such additions to or deductions from the balance sheet account representing state owned property in the said new accounting system as it finds consistent with established accounting standards, and no such additions or deductions shall be made without a majority vote of the whole board and a written certification to that effect. Said board shall pass upon all contracts intended by the state purchasing agent, and no such contract shall be made without the approval of such board.

To approve contracts by state purchasing agent.

Equal voice by commissioners.

Section 32. In any case in which the commissioners act as a board, each commissioner shall have equal voice; and if there is a tie vote upon any matter, except such as relates to authorizing additions to or deductions from the balance sheet account representing state owned property, the board shall call upon the governor or the person acting in his place to decide the issue.

Governor to decide issue in case of tie vote.

Commission to make annual report to general court.

Section 33. The commission shall annually on the second Wednesday in January submit to the general court a printed abstract of its report, exhibiting a full and accurate statement of the financial condition and transactions of the commonwealth

for the preceding fiscal year, and as soon as may be thereafter it shall submit its printed report in detail.

Section 34. Such report shall contain a summary statement of the receipts into, and payments from, the treasury of the commonwealth for the preceding fiscal year; a detailed statement of such receipts and expenditures, including the expense incurred for the support of all permanent departments, offices, commissions, services and institutions; and all exceptional and special charges incurred for articles purchased. The account shall be so constructed as to show the expenses which have been actually incurred within the fiscal year, whether paid or unpaid at the end of such year. It shall include all items of accounts of expenditure of interest to the public, and, as far as may be, shall show the different departments, officers or commissions under whose direction the expenditure was made and the different officers who have received salaries or other general charges; and no expenditure exceeding five hundred dollars, including separate items, shall be classified under an indefinite head.

Contents of annual report.

Section 35. The report shall show the aggregate amount of funded debt and of all temporary loans at the beginning and end of the fiscal year respectively and the balance of increase or decrease in each case, and state the cause of such increase or decrease. It shall state whether or not the ordinary expenses of the fiscal year have exceeded the income, and show the amount of the balance. It shall contain a particular statement of all transactions affecting the funds belonging to or held in trust by the commonwealth, including new investments of any portion of the same made during the preceding fiscal year, and also of the manner in which the income of the school fund has been disbursed. In making such report the commission shall estimate the value of securities at their market value at the time of making its report. The report shall also include a statement of the transactions of the commission in the performance of its duties not directly connected with state finances. Said report may be published in such parts, or separate volumes, as the commission may determine.

Annual report to show funded debt, etc.

Report may be published in parts.

SECTION 2. Section thirty-five of chapter three of the General Laws, as amended by chapter three hundred and forty-three of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the eleventh line, the words "state auditor" and inserting in place thereof the word:— comptroller,— and by striking out, in the sixteenth line, the word "auditor" and inserting in place thereof the word:— comptroller,— so as to read as follows:— *Section 35.* Advertisements of hearings shall be published only in newspapers designated by the chairman of the committee on the part of the senate or of the house of representatives and the clerk of the committee, subject to the approval of the committees on rules sitting jointly or acting concurrently, and in each case the order for the advertisement shall be signed by the chairman and clerk of the respective committees, who shall designate therein the newspapers in which such advertisement is to be published,

G. L. 3, § 35, etc., amended.

Newspaper publication of notices of legislative hearings.

designating daily papers whenever such are available, and shall file the same with the comptroller, who shall thereupon forward a copy to the newspapers so designated for publication and shall give the necessary directions to secure uniformity in the style and manner of publication, as provided in the preceding section. The comptroller shall certify all bills for publishing such advertisements, and shall annually, during the first week in April, report in detail to the general court the expenses incurred by the several committees under this section.

G. L. 3, § 37,
amended.

Auditing of
expenses of
legislative
committees.

SECTION 3. Section thirty-seven of said chapter three is hereby amended by striking out, in the fifth and sixth lines, the words "state auditor" and in the eighth and in the twelfth lines the word "auditor" and inserting in place thereof in each instance the word: — comptroller, — so as to read as follows: — *Section 37.* Except as provided in the two preceding sections, no money shall be paid from the treasury for expenses incurred by committees of the general court unless, at the beginning of each month and at other convenient and necessary times during the session, the clerk of the committee prepares a schedule, on forms furnished by the comptroller, of the expenses incurred for which bills have been rendered, which shall be approved in writing by a majority of the members of the committee and transmitted to the comptroller. If a bill for an authorized expense incurred during a regular or special session of the general court is not rendered during such session so that it can be approved as aforesaid, the written approval of a majority of the members of the committee shall be sufficient to authorize the comptroller to certify it.

G. L. 3, § 38,
amended.

Payment of
fees for wit-
nesses before
general court.

SECTION 4. Section thirty-eight of said chapter three is hereby amended by striking out, in the ninth line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 38.* Money appropriated for fees of witnesses before the general court may be paid to the sergeant-at-arms, who shall pay therefrom the legal fees due to witnesses summoned before committees authorized to send for persons and papers, upon the certificate of the chairman or other member authorized by the committee to certify such accounts, as soon as may be after said witnesses have been discharged, and in like manner shall pay the expense of taking depositions authorized by such committees, and shall, within ten days after prorogation, return to the comptroller an account of such payments, and repay to the state treasurer the unexpended balance of such money. If witnesses are summoned in any session before an appropriation for their payment has been made, the governor may draw his warrant for an amount not exceeding the appropriation made in the preceding fiscal year, and in no case exceeding three hundred dollars.

G. L. 5, § 1,
amended.

Supervision of
state printing.

SECTION 5. Chapter five of the General Laws is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* The division of personnel and standardization shall supervise the state printing and all publications by the commonwealth shall be printed under its direction; provided, that the foregoing provisions shall not apply

Proviso.

to legislative printing or to publications required to be issued by the state secretary under the three following sections, or under chapter ninety of the resolves of nineteen hundred and twenty or any other special provision of law. All publications by the commonwealth shall be distributed under the direction of the state secretary unless otherwise provided.

Distribution of state publications.

SECTION 6. Section six of said chapter five is hereby amended by striking out, in the fifth line, the words "supervisor of administration" and inserting in place thereof the words: — division of personnel and standardization, — so as to read as follows: — *Section 6.* All reports required to be made by permanent state departments, officers and commissions shall, except as otherwise provided, be printed annually before the assembling of the general court, or as soon thereafter as possible. They shall be numbered in a series to be called public documents. The division of personnel and standardization shall designate the number of copies of each report to be printed, and none additional shall be printed at the expense of the commonwealth.

G. L. 5, § 6, amended.

Publication of annual reports as public documents.

Number to be printed.

SECTION 7. Section eight of said chapter five is hereby amended by striking out, in the seventh and eighth lines, the words "state auditor. The supervisor of administration" and inserting in place thereof the words: — comptroller. The division of personnel and standardization, — and by striking out, in the ninth line, the word "his" and inserting in place thereof the word: — its, — so as to read as follows: — *Section 8.* Case books and technical reports published at the public expense shall be distributed exclusively by the state secretary. Such publications shall be distributed free of charge, but only upon written request, to such persons and in such numbers as are mentioned in the preceding section, or for the purpose of exchange with other states. They may be delivered to other persons only upon receipt of a sum equal at least to the estimated cost thereof, as determined by the comptroller. The division of personnel and standardization shall determine whether such publication is a case book or a technical report, and from its decision an appeal shall lie to the committee of the executive council appointed to consider matters of finance, whose decision shall be final.

G. L. 5, § 8, amended.

Distribution of case books and technical reports.

SECTION 8. Section eight of chapter six of the General Laws is hereby amended by striking out, in the eighth line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 8.* An amount not exceeding one hundred thousand dollars shall be appropriated each year for carrying out sections twenty-nine to thirty-seven, inclusive, of chapter thirty-three, for the entertainment of the president of the United States and other distinguished guests while visiting or passing through the commonwealth, for extraordinary expenses not otherwise provided for, which the governor and council may deem necessary, and for transfer, upon the recommendation of the comptroller, with the approval of the governor and council, to such appropriations as have proved insufficient.

G. L. 6, § 8, amended.

Extraordinary expenses of executive, etc.

G. L. 8,
§§ 3, 8, re-
pealed.

G. L. 8, § 6,
amended.

Superintendent
of buildings to
direct repairs
and improve-
ments, etc.

Not applicable
to state in-
stitutions, etc.
G. L. 8, § 11,
amended.

Reports by
superintendent
of buildings.

G. L. 9, § 14,
repealed.

G. L. 11, §§ 3,
4, 7-11, 13-15,
repealed.

G. L. 11, § 5,
amended.

Deputy, ap-
pointment
by state
auditor, salary,
etc.

G. L. 11, § 6,
amended.

State auditor
may appoint,
etc., em-
ployees.

Division of
receipts and
division of
disbursements.

G. L. 11, § 12,
amended.

Auditing of
accounts of
departments,
etc.

SECTION 9. Sections three and eight of chapter eight of the General Laws are hereby repealed.

SECTION 10. Section six of said chapter eight is hereby amended by striking out the first two sentences, by striking out, in the ninth line, the word "said" and inserting in place thereof the words: — executive and administrative, — by striking out, in the tenth and eleventh lines, the words "for all office furniture, fixtures, equipment, stationery and office supplies which they may require, and", by striking out, in the fourteenth and fifteenth lines, the words "articles shall be furnished, and such", by striking out the comma in the fifteenth line, by striking out, in the sixteenth line, the words "or chief clerk" and by striking out the sixth, seventh and eighth sentences, — so as to read as follows: — *Section 6.* He shall direct the making of all repairs and improvements in the state house and on the state house grounds. All executive and administrative departments and officers shall make requisition upon him for any repairs or improvements necessary in the state house or in other buildings or parts thereof owned by or leased to the commonwealth and occupied by said departments or officers. Such repairs or improvements shall be made only upon such requisition signed by the head of the department or office. This section shall not apply to state institutions or officers thereof.

SECTION 11. Section eleven of said chapter eight is hereby amended by striking out all except the last sentence, — so as to read as follows: — *Section 11.* He shall submit an annual report to the governor and such other reports as the governor may require.

SECTION 12. Section fourteen of chapter nine of the General Laws is hereby repealed.

SECTION 13. Sections three, four, seven to eleven, inclusive, and thirteen to fifteen, inclusive, of chapter eleven of the General Laws are hereby repealed.

SECTION 14. Section five of said chapter eleven is hereby amended by striking out all after the word "dollars" in the third line down to and including the word "budget" in the fifth line, — so as to read as follows: — *Section 5.* He may, subject to confirmation by the governor and council, appoint a deputy in his department at a salary not exceeding thirty-five hundred dollars. The requirements of section two as to the bonding of the first deputy shall apply to the deputy appointed hereunder.

SECTION 15. Said chapter eleven is hereby further amended by striking out section six and inserting in place thereof the following: — *Section 6.* The state auditor may appoint and remove such employees as the work of the department may require, and fix their compensation. Said employees shall be organized in two divisions, namely, the division of receipts and the division of disbursements. The employees in the division of receipts shall be qualified to check actual receipts.

SECTION 16. Said chapter eleven is hereby further amended by striking out section twelve and inserting in place thereof the following: — *Section 12.* The department of the state auditor shall annually make a careful audit of the accounts of all de-

partments, offices, commissions, institutions and activities of the commonwealth, including those of the income tax division of the department of corporations and taxation, and for said purpose the authorized officers and employees of said department of the state auditor shall have access to such accounts at reasonable times and said department may require the production of books, documents and vouchers, except tax returns, relating to any matter within the scope of such audit. The accounts of the last named department shall be subject at any time to such examination as the governor and council or the general court may order. Said department shall comply with any written regulations, consistent with law, relative to its duties made by the governor and council. This section shall not apply to the accounts of state officers which the director of accounts of the department of corporations and taxation is required by law to examine. The department of the state auditor shall keep no books or records except records of audits made by it, and its annual report shall relate only to such audits.

Not applicable to certain accounts.

Records of audits and annual report of state auditor.

G. L. 12, § 17, etc., amended.

SECTION 17. Section seventeen of chapter twelve of the General Laws, as amended by section three of chapter three hundred and four and section one of chapter three hundred and thirty-three of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the fourth and fifth lines, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 17.* The salaries of district attorneys for the several districts, except Suffolk, shall, in January, nineteen hundred and twenty-two, and every five years thereafter, be adjusted by the comptroller, upon the basis of the annual average disposition of criminal cases in their respective districts for the five years preceding the first day of October immediately preceding, as determined by the returns of the clerks of courts made to the commissioner of correction under section eight of chapter one hundred and twenty-four, in accordance with the following schedule; and the salaries of the assistant and second assistant district attorneys in the several districts, except Suffolk, shall be sixty and forty-five per cent, respectively, of the salaries of their respective district attorneys, as so adjusted; all of said salaries shall be allowed from January first in the year of adjustment and be paid by the commonwealth.

Adjustment of salaries of district attorneys, assistant and second assistant district attorneys, except Suffolk.

ANNUAL AVERAGE DISPOSITION OF CRIMINAL CASES IN THE DISTRICT DETERMINED AS AFORESAID FOR FIVE YEARS PRECEDING THE OCTOBER FIRST IMMEDIATELY PRECEDING THE DATE OF ADJUSTMENT.		Salary of District Attorney.
3,000 or more	.	\$7,000
750 to 3,000	.	5,000
500 to 750	.	4,000
250 to 500	.	3,000
Less than 250	.	2,000

Schedule.

SECTION 18. Section five A of chapter twenty-five of the General Laws, inserted by section one of chapter two hundred and fifty-nine of the acts of nineteen hundred and twenty-two,

G. L. 25, § 5A, etc., amended.

Department of public utilities may summon witnesses, take testimony, etc.

Witness fees, payment, etc.

G. L. 29, § 1, amended.

Definition of "departments" as used in certain laws relating to state finance.

G. L. 29, § 4, amended.

Estimates of amounts required for certain purposes by heads of departments etc., to be filed.

G. L. 29, § 5, amended.

Comptroller to tabulate and file certain information and estimates.

is hereby amended by striking out, in the eighth line, the words "state auditor" and inserting in place thereof the word:— comptroller,— so as to read as follows:— *Section 5A.* In all investigations and inquiries authorized by law to be made by the department and in all proceedings before it, any commissioner of the department may summon witnesses, administer oaths and take testimony. The fees of such witnesses for attendance and travel shall be the same as for witnesses before the superior court and shall be paid by the commonwealth upon the certificate of the department filed with the comptroller. The fees of such witnesses need not be paid or tendered to them prior to their attendance and testimony.

SECTION 19. Section one of chapter twenty-nine of the General Laws is hereby amended by adding at the end thereof the following:— and the commission on administration and finance,— so as to read as follows:— *Section 1.* The word "departments", as used in this chapter, shall, unless the context otherwise requires, mean all the departments of the commonwealth, except the departments of banking and insurance and of civil service and registration but including in lieu thereof the divisions of banks and loan agencies, of insurance, of savings bank life insurance and of civil service and the several boards serving in the division of registration of the department of civil service and registration, and also including the metropolitan district commission and the commission on administration and finance.

SECTION 20. Section four of said chapter twenty-nine is hereby amended by striking out, in the seventh line, the words "supervisor of administration" and inserting in place thereof the words:— budget commissioner,— so as to read as follows:— *Section 4.* Officers and heads of departments who, in their annual reports or otherwise, recommend or petition for the expenditure of money by the commonwealth from any source of revenue, including expenditures to be met by assessments or the issue of notes or bonds, for any purpose not covered by the estimates required to be submitted under the preceding section shall annually, on or before October fifteenth, submit detailed estimates thereof to the budget commissioner, together with any other information required by him.

SECTION 21. Section five of said chapter twenty-nine is hereby amended by striking out, in the first and ninth lines, the words "state auditor" and inserting in place thereof in each instance the word:— comptroller,— by striking out, in the third line, the words "supervisor of administration" and inserting in place thereof the words:— budget commissioner,— and by striking out, in the tenth line, the word "supervisor" and inserting in place thereof the words:— budget commissioner,— so as to read as follows:— *Section 5.* The comptroller shall annually, on or before December twenty-sixth, prepare and file with the clerk of the house of representatives and with the budget commissioner statements of state accounts setting forth in comparative tabulations the estimates filed under section three and estimates of all claims and other expenditures authorized by law, including interest, sinking fund and serial bond

requirements, the appropriations for the preceding fiscal year and expenditures for all state purposes for the preceding three fiscal years. The comptroller shall further prepare and file with said clerk and budget commissioner, on or before said December twenty-sixth, his estimates for the ordinary and other revenue of the commonwealth in comparative tabulations with the actual revenue for the preceding three fiscal years, together with a statement of the free or unencumbered cash balance and other resources available for appropriation.

SECTION 22. Said chapter twenty-nine is hereby further amended by inserting after section five the following new section: — *Section 5A.* Each department, office and commission responsible for any great amount of physical property shall annually submit with its budget estimates forecasts of probable annual construction expenditures for such period of years as shall be appropriate for such department, office or commission. Such forecasts shall be itemized, and items shall be classified for each year under one of three following classes: "necessary", "desirable" or "contingent". The first class shall include work that is a part of a fixed and continuing program or is unavoidably necessary. The second class shall include items of work advantageously provided for at that time, but which might be postponed or possibly advanced. The third class shall include work dependent upon some other developments which cannot be definitely predetermined. Such forecasts may be modified from year to year to conform to changing conditions. The budget commissioner may from time to time fix or change the form of the forecasts, the classification of the items contained therein or the period of years to be covered thereby.

G. L. 29, new section after § 5.

Certain departments, etc., to submit annually forecasts of probable annual construction expenditures. Classification of items.

SECTION 23. Section six of said chapter twenty-nine is hereby amended by striking out, in the first line, the words "supervisor of administration" and inserting in place thereof the words: — budget commissioner, — and by striking out, in the seventh line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 6.* The budget commissioner shall study and review all estimates and requests for appropriations and other authorizations for expenditures of state funds filed with him as provided by sections three and four, and shall make such investigations as will enable him to prepare a budget for the governor, setting forth such recommendations as the governor shall determine upon. The governor may call upon the comptroller for information relative to finances and for assistance in the preparation of the budget. The budget shall be submitted by the governor to the general court annually within three weeks after the general court convenes, and it shall embody all estimates, requests and recommendations for appropriations or other authorizations for expenditures by the commonwealth. The budget shall be classified and designated so as to show separately estimates and recommendations for: (a) expenses of administration, operation and maintenance; (b) deficiencies or overdrafts in appropriations of former years; (c) new construction, additions, improvements and other capital outlay; (d) interest on

G. L. 29, § 6, amended.

Budget commissioner to examine estimates, to make investigations, etc., for preparation of budget.

Governor to submit budget with recommendations.

Budget to be classified, etc.

General appropriation bill.	<p>the public debt and sinking fund and serial bond requirements; and (c) all requests and proposals, for expenditures for new projects and other undertakings; and shall include in detail definite recommendations of the governor relative to the amounts which should be appropriated therefor. The budget shall also include definite recommendations of the governor for financing the expenditures recommended, and the relative amounts to be raised from ordinary revenue, direct taxes or loans. All appropriations based upon the budget to be paid from taxes or revenue shall be incorporated in a single bill to be designated the general appropriation bill. With the budget the governor shall submit to the general court such messages, statements or supplemental data relative thereto as he deems expedient, and from time to time during the session of the general court he may submit supplemental messages on recommendations relative to appropriations, revenues and loans.</p>
Budget to be accompanied by governor's messages, statements, etc.	
G. L. 29, § 18, amended.	<p>SECTION 24. Section eighteen of said chapter twenty-nine is hereby amended by striking out, in the fourth and twenty-first lines, the words "state auditor" and inserting in place thereof in each instance the word: — comptroller, — so as to read as follows: — <i>Section 18.</i> Except as otherwise provided, no money shall be paid by the commonwealth without a warrant from the governor drawn in accordance with an appropriation then in effect, and after the demand or account to be paid has been certified by the comptroller; but the principal and interest on all public debts shall be paid when due without any warrant, and the revenue received from fees and fines under chapter ninety and the revenue now paid into special funds and expended by the division of waterways and public lands of the department of public works shall be appropriated by the general court for the purposes defined in existing laws; provided, that no appropriation shall be required for the payment of principal or income of funds held in trust by the commonwealth, or of sinking funds to meet maturing bonds, or of treasury notes issued for duly authorized temporary loans, or of corporation and other taxes collected by the commonwealth for distribution to towns, or for the investment of such funds as the state treasurer is duly authorized to invest, or for payments authorized by law out of the several prison industries funds, or for repayments required by section seventy-eight of chapter sixty-three; and, provided, further, that the governor may, without an appropriation, draw his warrant for the payment of his own salary and the salaries of the justices of the supreme judicial court. No certificate shall be required from the comptroller for payment of the pay rolls of the members of the council and general court.</p>
Payments from state treasury regulated.	
Provisos.	
Pay rolls of members of council and general court.	
G. L. 29, § 20, amended.	<p>SECTION 25. Section twenty of said chapter twenty-nine is hereby amended by striking out, in the second and seventh lines, the words "state auditor" and inserting in place thereof in each instance the word: — comptroller, — so as to read as follows: — <i>Section 20.</i> No account or demand requiring the certificate of the comptroller or warrant of the governor shall be paid from an appropriation unless it has been authorized and approved by the head of the department or office for which it was contracted;</p>
Payments from appropriations, how authorized, etc.	

nor shall any appropriation be used for expenses, except gratuities and special allowances by the general court, unless full and properly approved vouchers therefor have been filed with the comptroller.

SECTION 26. Section twenty-three of said chapter twenty-nine, as amended by chapter three hundred and forty-two of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the fifth line, the words "state auditor" and inserting in place thereof the word:— comptroller,— so as to read as follows:— *Section 23.* Any officer authorized to expend money in behalf of the commonwealth may have money advanced to him from the treasury for such purposes, in such sums and subject to such rules and regulations as the comptroller may determine.

G. L. 29, § 23,
etc., amended.

Advances from
state treasury.

SECTION 27. Section twenty-four of said chapter twenty-nine is hereby amended by striking out, in the fifth line, the words "state auditor" and inserting in place thereof the word:— comptroller,— so as to read as follows:— *Section 24.* Such officers shall certify that the amount is needed for immediate use, and, as specifically as may be, the purposes for which the expenditure is required. The certificate shall bear the approval of the officer or department having the supervision of such expenditure and, when filed with the comptroller, his certificate and the warrant and payment shall follow as in case of claims against the commonwealth.

G. L. 29, § 24,
amended.

Officers to
certify
immediate
need for
advances.

SECTION 28. Section twenty-five of said chapter twenty-nine is hereby amended by striking out, in the second and sixth lines, the words "state auditor" and inserting in place thereof in each instance the word:— comptroller,— so as to read as follows:— *Section 25.* Such officers shall, within thirty days after receipt of an advance, file with the comptroller a detailed statement of the amounts expended subsequent to the previous accounting, approved by the officer or department authorized to supervise such expenditure, with vouchers therefor if they can be obtained. All advances so made shall be accounted for and vouchers therefor filed with the comptroller before December first in each year.

G. L. 29, § 25,
amended.

Statement in
detail to comp-
troller.

SECTION 29. Section twenty-six of said chapter twenty-nine is hereby amended by striking out, in the ninth line, the words "state auditor" and inserting in place thereof the word:— comptroller,— so as to read as follows:— *Section 26.* Expenses of offices and departments for compensation of officers, members and employees and for other purposes shall not exceed the appropriations made therefor by the general court. No obligation incurred by any officer or servant of the commonwealth in excess of the appropriation for the office, department or institution which he represents shall impose any liability upon the commonwealth. If expenditures are made in excess of appropriations, the officers having charge of such expenditures shall annually, on or before December fifteenth, report to the comptroller the details thereof with the reasons therefor, and he shall make a special report of the same to the general court early in its session.

G. L. 29, § 26,
amended.

Expenses not
to exceed
appropriations.

Obligations
incurred in
excess of appro-
priation not
to impose
liability on
commonwealth.

G. L. 29, § 29,
amended.

Transfer of
funds with
approval of
comptroller.

G. L. 29, § 33,
amended.

Par of ex-
change
adopted for
accounts, etc.,
of comptroller
and state
treasurer.

G. L. 29, § 48,
amended.

Notes for
certain state
loans, signa-
ture, etc.

G. L. 29, § 50,
amended.

Amount for
serial payments
of bonds, etc.,
to be included
in state tax.

G. L. 29, § 56,
amended.

Transfer of
unexpended
receipts from
sales of bonds,
etc., by state
treasurer.

G. L. 29, § 58,
amended.

Issue of regis-
tered bonds in
exchange for
coupon bonds
of state.

SECTION 30. Section twenty-nine of said chapter twenty-nine is hereby amended by striking out, in the sixth line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 29.* No transfer of funds from one item of account to another on the books of any officer or board having charge of any office, department, institution or undertaking receiving an annual appropriation from the commonwealth, upon which items of account such annual appropriation is based, shall be made without the written approval of the comptroller.

SECTION 31. Section thirty-three of said chapter twenty-nine is hereby amended by striking out, in the fourth line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 33.* The par of exchange established by section thirty-five hundred and sixty-five of the Revised Statutes of the United States is hereby adopted for all accounts, entries and records in the books of the comptroller and of the state treasurer.

SECTION 32. Section forty-eight of said chapter twenty-nine is hereby amended by striking out, in the third line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 48.* Notes for money borrowed in anticipation of the receipts shall be signed by the state treasurer, approved by the governor, and countersigned by the comptroller.

SECTION 33. Section fifty of said chapter twenty-nine is hereby amended by striking out, in the first line, the words "state auditor" and inserting in place thereof the words: — budget commissioner, — so as to read as follows: — *Section 50.* He shall annually certify to the budget commissioner the amount necessary to be included in the state tax to provide for such serial payments of any bonds or scrip of the commonwealth, and the amount shall be included in the state tax to be assessed for the year in which such payments are to be made.

SECTION 34. Section fifty-six of said chapter twenty-nine is hereby amended by striking out, in the seventh line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 56.* The state treasurer, with the approval of the governor and council, may transfer funds remaining in his hands from the sale of bonds and other securities issued for specific purposes, when such purposes have been fully accomplished and said bonds or other securities so issued paid in full, to such sinking funds or such other accounts for the reduction of outstanding indebtedness of the commonwealth as may be approved by the comptroller.

SECTION 35. Section fifty-eight of said chapter twenty-nine is hereby amended by striking out, in the seventh line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 58.* The state treasurer may, upon terms and regulations prescribed by the governor and council, issue, in denominations of not less than one thousand dollars, registered bonds in exchange for any

coupon bonds of the commonwealth, which, with the exception of the coupons, shall be in conformity with the laws authorizing the issue of such coupon bonds. He shall mutilate and retain the bonds so received in exchange. The comptroller shall certify such registered bonds; and he and the state treasurer shall each keep a register of their dates, numbers and amounts, the names of the persons to whom they were issued, when they are payable, and for what bonds they were issued in exchange. The state treasurer may also, upon the same terms and regulations, issue in substitution for mutilated, defaced or endorsed bonds presented to him other bonds of like or equivalent issues.

SECTION 36. Section sixty-one of said chapter twenty-nine is hereby amended by striking out, in the first line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 61.* The comptroller or any other person authorized to approve claims for materials, supplies or other articles furnished to, or for service or labor performed for, the commonwealth, may, before approving any such claim, require the claimant to certify on oath that all the articles have been furnished, for which the claim has been made, or that the service or labor has been performed, and that no commission, discount, bonus, present or reward of any kind has been received or promised or is expected on account of the same.

G. L. 29, § 61, amended.

Requirement of oath by certain claimants against state.

SECTION 37. Section one of chapter thirty of the General Laws is hereby amended by striking out all after the word "commission" in the ninth line, and inserting in place thereof the following: — and the commission on administration and finance, — so as to read as follows: — *Section 1.* The following words, as used in this chapter, shall have the following meanings, unless the context otherwise requires:

G. L. 30, § 1, amended.

Definition of "departments" as used in certain laws relating to state departments, commissions, etc.

"Departments", except in section two, all the departments of the commonwealth, except the departments of banking and insurance and of civil service and registration but including in lieu thereof the divisions of banks and loan agencies, of insurance, of savings bank life insurance and of civil service and the several boards serving in the division of registration of the department of civil service and registration, and also including the metropolitan district commission and the commission on administration and finance.

SECTION 38. Said chapter thirty is hereby further amended by striking out section seven and inserting in place thereof the following: — *Section 7.* Each commissioner in charge of a bureau of the commission on administration and finance and the officer in charge of the division of personnel and standardization of said commission, and each officer, board and commission, other than the aforesaid commission, having supervision and control of an executive or administrative department, including the adjutant general and each officer, board and commission, mentioned in section seventeen of chapter six, may, subject to the approval of the governor and council, employ a person to serve in a confidential capacity and may, with like approval,

G. L. 30, § 7, amended.

Appointment and removal of confidential state employees.

remove him. Such employee shall receive such compensation as shall be fixed by the officer, board or commission employing him and approved by the governor and council.

G. L. 30, § 15,
amended.

Amounts of
certain state
officials' bonds,
etc.

SECTION 39. Section fifteen of said chapter thirty is hereby amended by striking out, in the second line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 15.* When state officials or employees are required to give bond in which the amount is not fixed by law, the comptroller shall fix the amount and shall require that such bonds be made uniform so far as possible.

G. L. 30, § 25,
amended.

Expenses of
state officers,
etc.

SECTION 40. Section twenty-five of said chapter thirty is hereby amended by striking out, in the fourteenth line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 25.* State officers, and members of departments receiving a salary or its equivalent, who are provided with offices by the commonwealth and whose duties require regular attendance at such offices, shall not be allowed or paid by the commonwealth any expenses in the nature of traveling or living expenses. Such officers or members of departments whose duties require them to travel elsewhere than to and from the offices provided for them by the commonwealth, and unpaid state officers or members of departments, and those whose duties do not require daily attendance and who receive compensation by the day, shall be allowed their actual reasonable expenses incurred in the performance of such duties, if such expenses are authorized by law to be paid by the commonwealth. Bills for such expenses shall be itemized and the dates when, and the purposes for which, such expenses were incurred shall be stated before their allowance by the comptroller.

G. L. 30, § 27,
etc., amended.

Payment of
state receipts
into treasury
daily, etc.

SECTION 41. Section twenty-seven of said chapter thirty, as amended by chapter two hundred and twenty-five of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the fourth line, the word "supervisor" and inserting in place thereof the words: — commission on administration and finance, — so as to read as follows: — *Section 27.* Except as otherwise expressly provided, all fees or other money received on account of the commonwealth shall be paid daily into the treasury thereof, but if in the opinion of the commission on administration and finance and the state treasurer the interests of the commonwealth require, payments may be made weekly in accordance with such rules and regulations as the state treasurer may prescribe.

G. L. 30, new
section after
§ 30.
Uniform style
of headings for
state department
letter-heads, etc.

SECTION 42. Said chapter thirty is hereby further amended by inserting after section thirty the following new section: — *Section 30A.* The state secretary, the director of personnel and standardization and the state purchasing agent shall, after consultation with state officers, heads of departments and superintendents of institutions, determine a uniform style of headings for letterheads to be used by all executive and administrative officers and departments and all institutions; but other styles may be authorized in limited quantities for special purposes.

SECTION 43. Section thirty-three of said chapter thirty, as amended by section two of chapter twenty-four of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the second line, the word "supervisor" and inserting in place thereof the words: — commission on administration and finance, — and by striking out, in the eleventh line, the word "supervisor" and inserting in place thereof the words: — budget commissioner, — so as to read as follows: — *Section 33.* State officers and departments or heads thereof, except the commission on administration and finance, shall annually, on or before the first Wednesday in December, deposit with the state secretary such parts of their annual reports as contain recommendations or suggestions for legislative action, accompanied by drafts of bills embodying the legislation recommended; and the state secretary shall forthwith transmit them to the general court; provided, that such recommendations or suggestions for legislative action shall not include any requests for appropriations or any matters required to be covered by budget estimates submitted to the budget commissioner under section three or four of chapter twenty-nine. Such drafts of bills shall, seasonably before being deposited with the state secretary, be submitted to the counsel to the senate or counsel to the house of representatives for advice and assistance as to the form thereof.

G. L. 30, § 33, etc., amended.

Annual reports of state officers, etc., to be accompanied by drafts of legislation, etc.

Proviso.

SECTION 44. Section thirty-five of said chapter thirty is hereby amended by striking out, in the second line, the word "supervisor" and inserting in place thereof the words: — division of personnel and standardization, — and by striking out, in the third line, the words "the supervisor" and inserting in place thereof the words: — said division, — so as to read as follows: — *Section 35.* State officers, departments or heads thereof may make such special reports as the division of personnel and standardization deems to be of practical utility. Appeal may be taken from any decision of said division hereunder to the committee of the executive council appointed to consider matters of finance whose decision shall be final.

G. L. 30, § 35, amended.

Special reports by state officers, etc.

Appeal.

SECTION 45. Said chapter thirty is hereby further amended by striking out section thirty-six and inserting in place thereof the following: — *Section 36.* Every motor vehicle purchased by the commonwealth shall be marked on a part of the vehicle not readily removable, and in a conspicuous place, with the words in plain letters "Commonwealth of Massachusetts", or in such other manner as may be approved by the state purchasing agent. He may make rules and regulations governing the marking of such motor vehicles, and any appointed official who fails to comply with an order, rule or regulation made under authority hereof may be removed by the governor, with the advice and consent of the council. Every officer, department, board, commission or institution of the commonwealth operating any such motor vehicle shall keep such a record of the use of such vehicle, and shall make such reports in relation thereto, as may be prescribed by the comptroller. The registrar of motor vehicles shall furnish for each such motor vehicle a distinctive number

G. L. 30, § 36, amended.

Marking and record of state motor vehicles.

Distinctive number plates.

plate bearing such arrangement of letters or numbers, or both, as will distinguish the particular vehicle, and the officer, department, board, commission or institution by which the vehicle is operated, and at the expense thereof.

G. L. 30, § 38,
amended.

SECTION 46. Section thirty-eight of said chapter thirty is hereby amended by striking out, in the second line, the word "supervisor" and inserting in place thereof the words:— division of personnel and standardization, — and by striking out, in the second line, the word "him" and, in the third line, the word "he" and inserting in place thereof in each instance the word:— it, — so as to read as follows:— *Section 38.* Every state officer, department or head thereof shall, whenever required by the division of personnel and standardization, furnish it with such information as it prescribes concerning all officials and employees of the commonwealth employed in or by such office or department for whose services money has been paid by the commonwealth.

State depart-
ments, etc.,
to furnish
information
concerning
officials and
employees.

G. L. 30, § 42,
amended.

SECTION 47. Section forty-two of said chapter thirty is hereby amended by striking out, in the first line, the words "supervisor, the superintendent of buildings" and inserting in place thereof the words:— state purchasing agent, the state librarian, — so as to read as follows:— *Section 42.* The state purchasing agent, the state librarian and an assistant attorney general designated by the attorney general, acting as a board, in consultation with the chairman of any board or commission and the head of any department or institution which may be interested, may, in their discretion, sell any duplicate volumes or documents, the property of the commonwealth, which are held in the state library or any other department, and they shall sell or destroy, from time to time, obsolete or worthless records, books and documents. At least thirty days before selling or destroying any such records, books or documents, the board shall publish in a daily newspaper in Boston a notice of its intention so to do, containing a brief description or summary of the articles to be sold or destroyed, and it shall give such other and further notice as it deems advisable to historical societies or persons interested in the matter. It may, and upon petition of twenty-five or more citizens of the commonwealth shall, before selling or destroying any particular records, books or documents, give a public hearing to all persons interested, and ten days' notice of such hearing shall be given in a daily newspaper published in Boston. Any money received from sales under this section shall be paid to the commonwealth.

Disposal of
duplicate and
obsolete state
documents,
etc.

Publication of
notice.

Public hearing,
etc.

Disposal of
money
received.
G. L. 30, § 45,
amended.

SECTION 48. Section forty-five of said chapter thirty is hereby amended by striking out, in the fourth and fifth lines, the word "supervisor" and inserting in place thereof the words:— division of personnel and standardization, — so as to read as follows:— *Section 45.* All appointive offices and positions in the government of the commonwealth, except those in the judicial branch and those in the legislative branch other than the additional clerical and other assistants in the sergeant-at-arms' office, shall be classified by the division of personnel and standardization, subject to the approval of the governor and

Classification of
certain state
offices and
positions.

council, in services, groups and grades according to the duties pertaining to each office or position. Such classification shall be established by specifications defining for each grade the titles, duties and responsibilities, and minimum qualifications for entrance and promotion. The titles so designated shall be the official title of offices or positions included therein, and shall be set forth on all pay rolls. The following words as used in this and the four following sections and in said classification shall have the following meanings:

“Group” includes offices and positions in a separate profession, vocation, occupation or trade involving a distinctive line of work which requires special education, training or experience;

“Grade”, a subdivision of a group, including all positions with substantially identical authority, duties and responsibility as distinct from all other grades in that group;

“Advancement”, an increase from one salary rate to another within a grade;

“Promotion”, a change from the duties of one grade to the duties of a higher grade, which shall involve a change in salary to the rates of the higher grade.

SECTION 49. Section forty-six of said chapter thirty is hereby amended by striking out, in the first line, the words “The supervisor” and inserting in place thereof the words:— Said division,— so as to read as follows:— *Section 46.* Said division may make rules and regulations, subject to the approval of the governor and council, providing for the application and administration of the classification and the specifications established under the preceding section; and the salaries of all officers and employees holding offices and positions required to be classified under said section, except those whose salaries are now or shall be otherwise regulated by law and those whose salaries are required by law to be fixed subject to the approval of the governor and council, shall be fixed in accordance with such classification and specifications.

SECTION 50. Said chapter thirty is hereby further amended by striking out section forty-seven and inserting in place thereof the following:— *Section 47.* Recommendations for increases in the salaries of officers and employees whose salaries are required by the preceding section to be fixed in accordance with such classification and specifications, shall be submitted in the first instance to the said division, and if approved by it shall take effect upon notice by the said division to the commissioner of civil service and the comptroller. If the said division does not approve a proposed increase in salary, it shall report the recommendation of the department or institution with its own recommendation to the governor and council whose decision shall be final, except that the governor and council shall not grant an increase in salary greater than that recommended by the department or institution. Increases in salaries granted under this section shall conform to such standard rates as may be established by rule or regulation in accordance with the preceding section. No increase in salary shall be granted under this section

Definitions.

G. L. 30, § 46, amended.

Rules and regulations for application and administration of classification of state offices, etc.

G. L. 30, § 47, amended.

Increases in salaries of certain state officers and employees regulated.

Reference to governor and council.

No increase without appropriation. When certain increases shall take effect.

unless an appropriation sufficient to cover such increase has been granted by the general court in accordance with estimates for the budget filed as required by law. No increase in a salary exceeding or to exceed one thousand dollars, authorized under this section between December first and May thirty-first, both inclusive, in any year shall take effect until June first following or such later date as may be fixed by the department or institution recommending such increase, with the approval of the said division or the governor and council.

G. L. 30, § 49, amended.

SECTION 51. Section forty-nine of said chapter thirty is hereby amended by striking out, in the third and in the fourth lines, the word "supervisor" and inserting in place thereof in each instance the words:—said division,— and by striking out, in the fifth line, the word "he" and inserting in place thereof the word:—it,— so as to read as follows:— *Section 49.* Any employee of the commonwealth objecting to any provision of the classification affecting his office or position may appeal in writing to the said division and shall be entitled to a hearing upon such appeal. The said division shall report thereon with such recommendations as it may deem expedient to the governor and council.

Appeal from classification of state offices, etc.

G. L. 30, new sections after § 50.

Purchase of materials, supplies, etc., for state departments, etc.

SECTION 52. Said chapter thirty is hereby further amended by adding at the end thereof, under the heading "Centralized State Purchasing", the two following new sections:— *Section 51.* All materials, supplies and other property, except legislative or military supplies, needed by the various executive and administrative departments and other activities of the commonwealth shall be purchased by or under the direction of the purchasing bureau in the manner set forth in the following section, and sections twenty-two to twenty-six, inclusive, of chapter seven. Said bureau shall be furnished with such general supply appropriations, in addition to its departmental supply accounts, as may be necessary in order to place blanket contracts or advance orders and thereby take advantage of favorable market conditions. *Section 52.* No supplies, equipment or other property, other than for legislative or military purposes, shall be purchased or contracted for by any state department, office or commission unless approved by the state purchasing agent as being in conformity with the rules, regulations and orders made under section twenty-two of chapter seven. Such approval may be of specific or blanket form at the discretion of the state purchasing agent.

Approval of purchases, etc., of supplies, equipment, etc., for state departments, etc.

G. L. 38, § 11, amended.

Reports of evidence at inquests in railroad and street railway accidents.

SECTION 53. Section eleven of chapter thirty-eight of the General Laws is hereby amended by striking out, in the twelfth line, the words "state auditor" and inserting in place thereof the word:— comptroller,— so as to read as follows:— *Section 11.* If a magistrate believes that an inquest to be held by him relates to the accidental death of a passenger or employee upon a railroad or electric railroad or a traveler upon a public or private way at a railroad crossing, or to an accidental death connected with the operation of a street railway or of a railroad for private use, he shall cause a verbatim report of the evidence to be made and sworn to by the person making it; and the report and the

bill for services, after examination and written approval by the magistrate, shall be forwarded to the department of public utilities within thirty days after the date of the inquest, and, when made, a copy of the magistrate's report on the inquest. The bill, when approved by said department, shall be forwarded to the comptroller and paid by the commonwealth, assessed on the person owning or operating such railroad or railway, and shall be collected in the same manner as taxes upon corporations. The magistrate may in his discretion refuse fees to witnesses in the employ of the person upon whose railroad or railway the accident occurred.

Transmission to department of public utilities.

Bill when approved, how paid, etc.

Magistrate may refuse fees to certain witnesses.

G. L. 48, § 83, amended.

SECTION 54. Section eighty-three of chapter forty-eight of the General Laws is hereby amended by striking out, in the fifth and in the sixth lines, the words "state auditor" and inserting in place thereof in each instance the word: — comptroller, — so as to read as follows: — *Section 83.* If a person entitled under either of the two preceding sections to the benefits provided in section eighty-one is killed, or dies within sixty days from injuries received, while in the performance of duties entitling him to such benefits, and his death is certified to the comptroller by the town clerk and the attending physician or medical examiner, the comptroller shall certify for payment to the executor or administrator of such person, out of the appropriation annually made for the purpose, the sum of twenty-five hundred dollars for the use equally of his widow and minor children; or if there are minor children but no widow, to their use; or if there is no minor child, to the use of the widow; and if there is no widow or minor child, to the use of the next of kin if dependent on such deceased person for support. A child of full age dependent upon such person for support shall be regarded as a minor child.

Allowance to families of firemen, etc., killed or fatally injured.

SECTION 55. Section thirty-four of chapter sixty-two of the General Laws is hereby amended by striking out, in the second line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 34.* The treasurer of every city, town and county, and the comptroller, shall, annually not later than April tenth, in the form prescribed by the commissioner, furnish to him names and addresses of all employees of said cities, towns, counties and of the commonwealth, respectively, receiving during the preceding calendar year as salary, wages, or otherwise, amounts exceeding eighteen hundred dollars in each case, together with the amount received by each.

G. L. 62, § 34, amended.

Certain officers to furnish names and addresses of certain public employees for income tax purposes.

SECTION 56. Section seventy-eight of chapter sixty-three of the General Laws is hereby amended by striking out, in the fourth line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 78.* If the court, upon a hearing or trial, adjudges that said tax or excise, and the costs thereon, have been illegally exacted, a copy of the judgment or decree shall be transmitted by the clerk of the court to the comptroller, who shall thereupon audit and certify the amount adjudged to have been illegally exacted, with interest, and costs to be taxed by the clerk of the

G. L. 63, § 78, amended.

Reimbursement of corporation taxes, etc., if illegally exacted.

court in the same manner as other claims against the commonwealth, and the state treasurer shall pay the same, without any further act or resolve making appropriation therefor. So much thereof as has been paid by the commonwealth to any town may be deducted from and set off against any sum afterwards payable to such town.

G. L. 66, § 1,
amended.

Duties of
supervisor of
public records
relative to
keeping and
preservation of
certain public
records.

Proviso.

SECTION 57. Section one of chapter sixty-six of the General Laws is hereby amended by striking out, in the eleventh line, the words "supervisor of administration" and inserting in place thereof the words:— division of personnel and standardization, — so as to read as follows:— *Section 1.* The supervisor of public records, in this chapter called the supervisor of records, shall take necessary measures to put the records of the commonwealth, counties, cities or towns in the custody and condition required by law and to secure their preservation. He shall see that the records of churches, parishes or religious societies are kept in the custody and condition contemplated by the various laws relating to churches, parishes or religious societies, and for these purposes he may expend from the amount appropriated for expenses such amount as he considers necessary; provided, that no measures shall be taken relative to the records of the commonwealth unless the same are approved by the division of personnel and standardization.

G. L. 69, § 25,
etc., amended.

Articles pro-
duced by the
division of the
blind to be
purchased by
certain state
officials.

Proviso.

SECTION 58. Section twenty-five of chapter sixty-nine of the General Laws, as amended by section seventeen of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the first and second lines, the words "superintendent of buildings and" and inserting in place thereof the words:— state purchasing agent, such, — and by striking out, in the second line, the word "or" and inserting in place thereof the words:— institutions as may be authorized by him to make purchases and officers in charge of, — so as to read as follows:— *Section 25.* The state purchasing agent, such officers in charge of state institutions as may be authorized by him to make purchases and officers in charge of other public institutions shall purchase articles or supplies, other than products of prison labor, from the division of the blind; provided, that the division has the same for sale and that they were produced by persons under the supervision of the division or in industrial schools or workshops under its supervision.

G. L. 70, § 16,
etc., amended.

Distribution
of income of
Massachusetts
School Fund,
returns by
superintendents
of schools, etc.

SECTION 59. Section sixteen of chapter seventy of the General Laws, as amended by section three of chapter three hundred and thirty-three of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the thirteenth line, the words "state auditor" and inserting in place thereof the word:— comptroller, — so as to read as follows:— *Section 16.* Every superintendent of schools shall annually, not later than February first, file with the commissioner of education, upon blanks prepared by the commissioner, a sworn statement, containing data necessary to determine the amounts payable under Part II of this chapter. Failure to file the same by February fifteenth shall cause the town to forfeit its share of the

income accrued during the preceding year. Before filing such statement, the superintendent shall submit it to the chairman of the school committee, who shall countersign it on oath, if, after examination, he finds it correct. The commissioner shall cause such statements to be examined, and shall certify to the comptroller the amount due each town.

Certification to
comptroller of
amount due.

SECTION 60. Section four of chapter seventy-three of the General Laws, as amended by section nineteen of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the second line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 4.* Principals of state normal schools shall give bonds in such penal sums as the comptroller may prescribe, conditioned on the faithful performance of their duties.

G. L. 73, § 4,
etc., amended.

Bonds of
principals of
state normal
schools.

SECTION 61. Section fifty-one of chapter seventy-four of the General Laws is hereby amended by striking out, in the third line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 51.* In addition to the advances authorized by section twenty-three of chapter twenty-nine, the state treasurer shall, upon requisition by the board to the comptroller, make an advance for said cruises of not exceeding ten thousand dollars for six months to the commanding officer of the vessel detailed therefor, who shall give bond in the sum of ten thousand dollars, with sureties approved by the governor and council, for its proper disbursement. Said advance shall be accounted for by properly approved vouchers within thirty days after the termination of said cruises.

G. L. 74, § 51,
amended.

Advances of
money for
cruises of
Massachusetts
nautical school.

SECTION 62. Section six of chapter seventy-five of the General Laws is hereby amended by striking out, in the third line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 6.* A complete accounting of receipts and expenditures shall be made to the governor annually. Monthly statements of receipts and expenditures shall be made to the comptroller by the treasurer, who shall keep complete records and files of pay rolls and bills in his office. There shall be a complete audit of the accounts of the college, including receipts and expenditures, under the direction of the trustees, at least twice a year.

G. L. 75, § 6,
amended.

Massachusetts
Agricultural
College, ac-
counts,
financial state-
ments, etc.

Audit.

SECTION 63. Section nine of chapter eighty-one of the General Laws, as amended by section two of chapter one hundred and twelve of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the seventh line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 9.* One fourth of any money which may be expended under any provision of sections four to eight, inclusive, for a highway in any county, with interest thereon at the rate of three per cent per annum, shall be repaid by said county to the commonwealth in such instalments and at such times within six years thereafter as the division, with the approval of the comptroller, having regard to the financial condition of the county, shall determine.

G. L. 81, § 9,
etc., amended.

Reimbursement
of common-
wealth for state
highways.

G. L. 90, § 2.
etc., amended.

Registration of
motor vehicles
and trailers,
rebates and
half fees.

Provisos.

Assignment
of register
number to
another vehicle.

G. L. 90, § 28.
etc., amended.

Appeals from
rulings of
registrar of
motor vehicles.

Division of
highways,
registrar of
motor vehicles,
etc., may
summon
witnesses, etc.

Witness fees,
payment, etc.

SECTION 64. Section two of chapter ninety of the General Laws, as amended by section one of chapter three hundred and three of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the fifty-sixth line, the word "auditor" and inserting in place thereof the word:— comptroller,— so that the sixth paragraph will read as follows:— A person who before the first day of August in any year transfers the ownership or loses possession of any vehicle registered in his name, and who applies for the registration of another vehicle of less horse power or carrying capacity than that of the vehicle so transferred or lost, shall be entitled, upon payment of the proper fee set forth in section thirty-three, to a rebate equivalent to one half the difference between the fee for the higher and the fee for the lower horse power or carrying capacity; and a person under like conditions who does not apply for the registration of another vehicle, but who, on or before the first day of September in the same year, files in the office of the registrar a written application for a rebate shall be entitled to a rebate of one half the fee paid for the registration of such vehicle; provided, that no such rebate shall be paid except upon a certificate, filed with the comptroller, setting forth the facts, and signed by the registrar or his authorized agent; and provided, also, that the rebate shall be paid out of the fees received for the registration of motor vehicles and trailers, without specific appropriation. The registrar, at his discretion, may assign to the vehicle of any person who surrenders his registration certificate as herein provided, and who desires to register another vehicle, the register number of the vehicle described in the surrendered certificate.

SECTION 65. Section twenty-eight of said chapter ninety, as amended by chapter two hundred and two of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the twenty-first line, the word "auditor" and inserting in place thereof the word:— comptroller,— so as to read as follows:— *Section 28.* Any person aggrieved by a ruling or decision of the registrar may, within ten days thereafter, appeal from such ruling or decision to the division of highways, which may, after a hearing, order such ruling or decision to be affirmed, modified or annulled, but no such appeal shall operate to stay any ruling or decision of the registrar. In the administration of the laws and regulations relative to motor vehicles the division or its secretary, if so authorized by the division, or the registrar, may summon witnesses in behalf of the commonwealth and may administer oaths and take testimony. The division or the registrar may also cause depositions to be taken, and may order the production of books, papers, agreements and documents. Any person who swears or affirms falsely in regard to any matter or thing respecting which an oath or affirmation is required by the division or by the registrar or by this chapter shall be deemed guilty of perjury. The fees for the attendance and travel of witnesses shall be the same as for witnesses before the superior court, and shall be paid by the commonwealth upon the certificate of the division or the registrar filed with the comptroller. The supreme judicial or superior court may, upon

the application of the division or the registrar, enforce all lawful orders of the division or the registrar under this section.

Court enforcement of orders, etc.

SECTION 66. Section ninety-nine of chapter ninety-two of the General Laws is hereby amended by striking out, in the third and in the tenth and eleventh lines, the words "state auditor" and inserting in place thereof in each instance the word: — comptroller, — so as to read as follows: — *Section 99.* There may be advanced by the commonwealth to such person as the commission shall designate such sums of money, not exceeding thirty thousand dollars at any one time, as the comptroller may certify to the state treasurer as necessary to enable the commission to make direct payments upon its pay rolls and other accounts. The person so designated shall give a bond, with sufficient sureties to be approved by the state treasurer, in the sum of thirty thousand dollars. Said sums may be advanced from any loan or appropriation under the control of the commission. The person to whom this money is advanced shall within thirty days from the receipt of any sum file with the comptroller a detailed statement of the moneys expended, approved by the commission, and, where it is practicable to obtain them, receipts or other like vouchers of the persons to whom the payments have been made.

G. L. 92, § 99, amended.

Advances of money to person designated by metropolitan district commission, etc.

SECTION 67. Section fifteen of chapter one hundred and fifteen of the General Laws is hereby amended by striking out, in the seventeenth line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 15.* The full amount expended for state or military aid by any town, the names of the persons aided and the classes to which they severally belong, the amounts paid to or for each person, the reasons therefor, the names of the persons on account of whose services the aid was granted, the names, if any, of the companies, regiments, stations, organizations or vessels in which they respectively enlisted, or to which they were appointed, and in which they last served, and the relationship of each person aided, to the soldier or sailor on account of whose service the aid was granted, and such other details as the commissioner may require, shall, within the first ten days of the month following the month in which the expenditure was made, be certified, on oath, by the mayor, treasurer and city clerk of any city or a majority of the selectmen of any town disbursing the same, to said commissioner on blank forms provided by him, and in a manner approved by him. The commissioner shall examine the certificates thereof and allow and endorse thereon such amounts as he finds have been paid and reported according to this chapter, and shall transmit the certificates to the comptroller. The commissioner may decide upon the necessity of the amount paid in each case, and may allow any part thereof which he deems proper and lawful and which, in cases of payment to or for persons of the third or fourth class entitled to receive military aid, he shall also find to have been made according to his orders; but he shall allow and endorse the amounts which he has specifically authorized to be paid under and according to his decisions made under section five. The whole of

G. L. 115, § 15, amended.

Returns of payments for state and military aid by cities and towns.

Allowance, etc., by commissioner of state aid and pensions.

State reimbursement of cities and towns.

the amounts legally paid as aforesaid and so allowed for state aid, and all payments to or for persons of the third or fourth class entitled to military aid, and one half of all payments made to persons of the first or second class entitled to military aid, but none of the expenses attending the payment of state or military aid, shall be reimbursed by the commonwealth to the several towns on or before November tenth in the year after such expenditure.

G. L. 115, § 20, amended.

SECTION 68. Section twenty of said chapter one hundred and fifteen is hereby amended by striking out, in the twentieth line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 20.* The expense of a burial as aforesaid shall not exceed sixty dollars, two dollars of which shall be paid as compensation to the burial agent causing the interment to be made; but if the total expense of the burial, by whomsoever incurred, shall exceed one hundred and thirty-five dollars, no payment therefor shall be made by the commonwealth. The burial shall not be made in any cemetery or burial ground used exclusively for the burial of the pauper dead, or in any part of any cemetery or burial ground so used. Relatives of the deceased who are unable to bear the expense of burial may be allowed to conduct the funeral. The full amount so expended, the name of the deceased soldier or sailor, the regiment, company, station, organization or vessel in which he served, the date of death, place of interment, and in case of a wife or widow the name of the husband and date of marriage, and such other details as the commissioner may require, shall be certified on oath to him, in such manner as he may approve, by the burial agent and the treasurer of the town expending the amount, within three months after the burial; and the commissioner shall endorse upon the certificate his allowance of such amounts as he finds have been paid, and reported according to the foregoing provisions, and shall transmit the certificate to the comptroller. The amounts legally paid and so allowed, with no expense for disbursement, shall be reimbursed by the commonwealth to the several towns on or before November tenth in the year after the expenditures have been made.

Expense of burial of indigent soldiers, etc., limited.

Returns of expenditures by cities and towns.

State reimbursement.

G. L. 120, § 8, amended.

Bonds and accounts of superintendents of Massachusetts training schools.

SECTION 69. Section eight of chapter one hundred and twenty of the General Laws is hereby amended by striking out, in the third line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 8.* Each superintendent shall before entering upon his duties give bond to the commonwealth, with sureties approved by the governor and council, in such sum as the comptroller may prescribe, conditioned that he shall faithfully perform all his duties and account for all money received by him as superintendent. The bond shall be filed in the office of the state treasurer. Each superintendent shall have charge of all the property of the institution within the precincts thereof. He shall keep accounts of all his receipts and expenditures, and of all property intrusted to him, showing the income and expenses of the institution; and shall account to the trustees, in

such manner as they may require, for all money received by him. His books and all documents relative to the school shall at all times be open to the inspection of the trustees. He shall keep a register, containing the name, age and circumstances connected with the early history of each girl or boy, and shall add such facts as come to his knowledge relative to her or his history while at the institution, and after leaving it.

Register of inmates.

SECTION 70. Section ten of said chapter one hundred and twenty is hereby amended by inserting after the word "institution" in the second line the words:—, except those required to be made by the state purchasing agent, — so as to read as follows:— *Section 10.* Each superintendent shall make all contracts on account of his institution, except those required to be made by the state purchasing agent, in writing, with the approval of the trustees if their rules, regulations or by-laws require it; and he or his successor may sue or be sued thereon to final judgment and execution. No suit shall abate by reason of the office of superintendent becoming vacant, but any successor in office may take upon himself the prosecution or defence thereof; and upon motion of the adverse party and notice he shall be required so to do.

G. L., 120, § 10, amended.

Contracts by superintendents of Massachusetts training schools.

Suits at law.

SECTION 71. Section four of chapter one hundred and twenty-two of the General Laws is hereby amended by striking out, in the sixth line, the words "state auditor" and inserting in place thereof the word:— comptroller, — so as to read as follows:— *Section 4.* The superintendent and resident physician may reside with their families at the state infirmary. The superintendent shall receive no other compensation than that provided in section one and no perquisites for his services except as aforesaid; and he shall give bond to the state treasurer for the faithful performance of his duties in such sum as the comptroller may prescribe, and with sufficient surety to the acceptance of said trustees and subject to the approval of the governor.

G. L., 122, § 4, amended.

Superintendent, etc., of state infirmary, residence, bond, etc.

SECTION 72. Section six of said chapter one hundred and twenty-two is hereby amended by striking out, in the third line, the words "state auditor" and inserting in place thereof the word:— comptroller, — so as to read as follows:— *Section 6.* All accounts for the maintenance of the state infirmary and the support of the inmates shall be approved by the trustees and filed with the comptroller at the end of each month.

G. L., 122, § 6, amended.

Accounts of state infirmary.

SECTION 73. Section nineteen of said chapter one hundred and twenty-two is hereby amended by striking out, in the sixth line, the words "state auditor" and inserting in place thereof the word:— comptroller, — so as to read as follows:— *Section 19.* All accounts against the commonwealth for allowance to counties, cities and towns on account of state paupers shall be rendered to the department on or before the third Wednesday of January annually, and shall be so made as to include all claims for such charges up to the first day of said January, and, if approved by the department and certified by the comptroller, shall be paid by the commonwealth. The department may require such accounts to be accompanied with such statement of par-

G. L., 122, § 19, amended.

Accounts against state for allowance to counties, etc., on account of state paupers.

particulars and facts, and substantiated by such affidavits, as it orders.

G. L. 123, § 17,
amended.

Bills for board
of persons
boarded out
by department
of mental
diseases, how
paid, etc.

SECTION 74. Section seventeen of chapter one hundred and twenty-three of the General Laws is hereby amended by striking out, in the fourth and in the fifth lines, the words "state auditor" and inserting in place thereof in each instance the word:— comptroller, — so as to read as follows:— *Section 17.* The bills for the support of persons who are placed at board in families by the department shall be payable monthly by the commonwealth and shall be audited by said department, which shall, at the end of each month, present to the comptroller a schedule of all such bills incurred, and shall keep a register in such form that the comptroller shall be able to verify the schedule.

G. L. 123, § 32,
etc., amended.

Accounts for
maintenance
of state
hospitals,
approval,
payment, etc.

SECTION 75. Section thirty-two of said chapter one hundred and twenty-three, as amended by chapter one hundred and ninety-three of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "him", in the fourth line, the words: — , or by the superintendent, — and by striking out, in the fifth line, the words "state auditor" and inserting in place thereof the word:— comptroller, — so as to read as follows:— *Section 32.* All accounts for the maintenance of each of the state hospitals shall be approved by the trustees thereof or, if the trustees so vote, by the chairman or some member designated by him, or by the superintendent, and shall be filed with the comptroller, and shall be paid by the commonwealth. Full copies of the pay rolls and bills shall be kept at each hospital.

G. L. 125, § 3,
amended.

Bond of warden
and superin-
tendents of
state penal
and reforma-
tory institu-
tions.

SECTION 76. Section three of chapter one hundred and twenty-five of the General Laws is hereby amended by striking out, in the fifth line, the words "state auditor" and inserting in place thereof the word:— comptroller, — so as to read as follows:— *Section 3.* The warden of the state prison and the superintendents of the Massachusetts reformatory, prison camp and hospital, state farm and reformatory for women shall, before entering upon the performance of their official duties, each give bond to the commonwealth, in such sum as the comptroller may prescribe, with sureties approved by the commissioner, conditioned faithfully to account for all money received by him and faithfully to perform the duties of warden or superintendent. The approval of the sureties shall be endorsed on the bond, and it shall be filed in the office of the state treasurer.

G. L. 125, § 5,
amended.

Deputy warden
or deputy
superintendents
filling vacancy
in office of
warden or
superintendent,
bond, salary,
etc.

SECTION 77. Section five of said chapter one hundred and twenty-five is hereby amended by striking out, in the ninth line, the words "state auditor" and inserting in place thereof the word:— comptroller, — so as to read as follows:— *Section 5.* If the office of warden, superintendent of the Massachusetts reformatory or reformatory for women is vacant, or if the warden or superintendent is absent from the prison or reformatory or is unable to perform his duties, the deputy warden or deputy superintendent shall have the powers, perform the duties and be subject to the liabilities of the warden or superintendent. If the office of warden or superintendent becomes vacant, the commissioner may require the deputy warden or deputy superin-

tendent to give a bond to the commonwealth, in such sum as the comptroller may prescribe, with sureties approved by the commissioner, conditioned for the faithful performance of his duties as deputy warden and treasurer or as deputy superintendent until a warden or superintendent is qualified, and faithfully to account for all money received by him as such. After the approval of such bond, the deputy shall, so long as he performs the duties of the office, receive the salary of the warden or superintendent in lieu of his salary as deputy warden or deputy superintendent. If the deputy warden or deputy superintendent does not give such bond when required, the commissioner may remove him from the office of warden or superintendent, and appoint a temporary warden or superintendent, who shall give such bond, and shall have the power and authority, perform the duties and receive the salary of the warden or superintendent until a warden or superintendent is qualified.

Removal for failure to give bond, etc.

SECTION 78. Section twenty-six of said chapter one hundred and twenty-five is hereby amended by inserting after the word "shall" the first time it occurs in the tenth line the words: — , if authorized so to do by the state purchasing agent, — by striking out, in the eleventh line, the words "pay all money appropriated" and inserting in place thereof the words: — disburse all money paid to him, — by striking out, in the twelfth line, the words "full and accurate" and inserting in place thereof the word: — such, — and by inserting after the word "reformatory" in the thirteenth and fourteenth lines the words: — as may be approved by the comptroller, — so as to read as follows: — *Section 26.* The superintendent shall reside at all times within the precincts or dependencies of the reformatory. He shall have the custody and control of prisoners committed to the reformatory, the management and direction of the reformatory, under the rules and regulations thereof, and the custody and control of the buildings and property of the commonwealth connected therewith. He shall receive and securely keep, according to the terms of the sentence, any male person sentenced to the reformatory by any court of the United States, or sentenced by such court to any other prison and removed to the reformatory. He shall, if authorized so to do by the state purchasing agent, purchase all necessary supplies for the reformatory, and shall receive and disburse all money paid to him by the commonwealth for the support thereof. He shall cause to be kept such books of account of the property, expenses, income and business of the reformatory as may be approved by the comptroller. He may, with the approval of the commissioner, expend not more than three hundred dollars annually for the entertainment of official and other visitors to the reformatory.

G. L. 125, § 26, amended.

Superintendent of Massachusetts reformatory, residence, powers, duties, etc.

SECTION 79. Said chapter one hundred and twenty-five is hereby further amended by striking out section thirty-four and inserting in place thereof the following: — *Section 34.* He shall receive and disburse all money paid to him by the commonwealth for the support of said reformatory, shall, if authorized

G. L. 125, § 34, amended.

Superintendent of reformatory for women, duties, etc.

so to do by the state purchasing agent, purchase all supplies and all other articles needed for carrying on and managing it, shall have the custody and control of all property connected with or belonging to it, and shall cause to be kept such books of account of all its property, expenses, income and business as may be approved by the comptroller.

G. L. 125, § 49,
amended.

SECTION 80. Section forty-nine of said chapter one hundred and twenty-five is hereby amended by inserting after the word "farm" in the third line the words: — , except those required to be made by the state purchasing agent, — so as to read as follows: — *Section 49.* All contracts on account of the state prison, Massachusetts reformatory, reformatory for women, prison camp and hospital and state farm, except those required to be made by the state purchasing agent, shall be made by the warden or superintendent in writing, and when approved in writing by the commissioner shall be binding. The warden and superintendents, or their successors, may sue or be sued upon any contract made in accordance with this chapter. No such suit shall abate by reason of said offices becoming vacant, but the successor of any of said officers, pending such suit, may, and, upon motion of the adverse party and notice shall, prosecute or defend it.

Prison con-
tracts, how
made, suits at
law, etc.

G. L. 125, §§ 51,
52, repealed.

SECTION 81. Sections fifty-one and fifty-two of said chapter one hundred and twenty-five are hereby repealed.

G. L. 125, § 54,
amended.

SECTION 82. Section fifty-four of said chapter one hundred and twenty-five is hereby amended by striking out, in the fourth and in the tenth lines, the word "auditor" and inserting in place thereof in each instance the word: — comptroller, — so as to read as follows: — *Section 54.* The salaries and pay of officers and employees and all bills for supplies and other expenditures for said institutions shall be paid monthly by the commonwealth, having first been certified by the comptroller, upon schedules, enumerating the bills and pay rolls and accompanied by vouchers. The name and position of each officer and employee, the amount of his pay and the amount due him shall be on the pay roll, which, with said bills, shall be certified by the warden or superintendent and approved by the commissioner. A record in full of the pay rolls and bills shall be made by the clerk in a book kept therefor at each institution, and the originals shall be deposited with the comptroller as vouchers.

Salaries, bills
for supplies,
etc., of state
penal and
reformatory
institutions,
payment,
certification,
etc.

G. L. 127, § 57,
amended.

SECTION 83. Chapter one hundred and twenty-seven of the General Laws is hereby amended by striking out section fifty-seven and inserting in place thereof the following: — *Section 57.* Annually in January the commissioner shall send to the comptroller, to the auditing and disbursing officers of the several counties, and to the auditor and treasurer of each city and town a list of the articles and materials that can be produced by the labor of prisoners for the use of offices, departments and institutions of the commonwealth and of the counties, cities and towns. The requisitions hereinafter provided for shall conform to said list unless it appears that special style, design or quality is

Purchase for
use of public
offices, depart-
ments and
institutions of
articles manu-
factured by
prisoners from
lists furnished
by commis-
sioner of
correction.

needed and shall be on forms provided by the commissioner. The state purchasing agent or the purchasing agent of a city or town shall make requisition therefor to the commissioner; provided, that in the case of articles or materials needed by a state office, department or institution and not required to be purchased by the state purchasing agent, or needed by a county, or by a city or town not having a purchasing agent, the requisition shall be made by the officer in charge of the state, county, city or town office, department or institution in which such articles or materials are needed. The commissioner shall forthwith inform said state, city or town purchasing agent or other officer in what institutions they are produced, and he shall purchase them from any institution so designated. If they are needed immediately and are not on hand, the commissioner shall forthwith so notify him, and he may purchase them elsewhere. No bill for any such articles or materials purchased for the use of said offices, departments or institutions, otherwise than from a prison or from another penal institution, shall be allowed or paid unless it is accompanied by a certificate from the commissioner showing that a requisition therefor has been made and that the goods cannot be supplied from the prisons. Provisions of any city charter contrary to this section shall be void.

Requisitions.
Proviso.

Certain city
charter provi-
sions void.
G. L. 127, § 71,
amended.

SECTION 84. Section seventy-one of said chapter one hundred and twenty-seven is hereby amended by striking out, in the tenth and in the fifteenth lines, the words "state auditor" and inserting in place thereof in each instance the word:— comptroller,— so as to read as follows:— *Section 71.* At least once in each month the receipts from the labor of prisoners in the state prison, the Massachusetts reformatory, the reformatory for women, the prison camp and hospital and the state farm shall be paid to the commonwealth, and the receipts from the labor of prisoners in a jail or house of correction to the county, and so much thereof as is necessary to pay the expenses of maintaining the industries in said institutions shall be expended from the state or county treasury for that purpose, but not until schedules of such expenses have been sworn to by the warden or superintendent and approved by the commissioner. Whenever, in the opinion of the comptroller, the accumulated funds in the state treasury from the receipts from the labor of prisoners in the state prison, the Massachusetts reformatory, the reformatory for women and the state farm exceed the sums necessary to pay the expense of maintaining the industries by which they were produced, the comptroller shall direct that the surplus be transferred from these accounts into the general fund or ordinary revenue of the commonwealth. Receipts from any one of the institutions shall be applied to paying the bills of that institution only. The warden or superintendent of the state prison, Massachusetts reformatory, reformatory for women or state farm shall, as often as he has in his possession money to the amount of ten thousand dollars which he has received under the provisions of sections fifty-three to sixty-seven, inclusive, pay it to the commonwealth; and the master or keeper of a jail or

Accounting for
receipts from
labor of
prisoners in
state and
county insti-
tutions.

Transfer of
surplus from
certain accu-
mulated funds,
etc.

Payments
to the
commonwealth.

house of correction shall, as often as he has in his possession such money to the amount of five thousand dollars, pay it into the county treasury.

G. L. 127, § 161,
amended.

SECTION 85. Section one hundred and sixty-one of said chapter one hundred and twenty-seven is hereby amended by striking out, in the seventh line, the word "auditor" and inserting in place thereof the word:—comptroller,—so as to read as follows:—*Section 161.* The commissioner shall cause an account to be kept of the money expended by the agents for the necessary expenses of the service required by sections one hundred and fifty-eight and one hundred and fifty-nine, for correspondence and travel in procuring employment for and furnishing clothing, board and tools to discharged prisoners and for conveying them to their homes or places of employment, which, upon approval by the comptroller, shall be paid at the end of each month.

Account of
expenditures
of agents for
aiding dis-
charged
prisoners.

G. L. 128, § 23,
amended.

SECTION 86. Section twenty-three of chapter one hundred and twenty-eight of the General Laws is hereby amended by striking out, in the twelfth line, the words "state auditor" and inserting in place thereof the word:—comptroller,—so as to read as follows:—*Section 23.* The owner of any cultivated berry-bearing shrubbery destroyed by the director or his assistants under the two preceding sections shall receive compensation therefor from the commonwealth, provided that he has given written notice thereof to the director within thirty days after the accrual of his claim to compensation. The director or an assistant shall thereupon investigate the same, and if the director does not agree with the claimant as to the validity of his claim or as to the amount thereof, the question at issue shall be determined by three arbitrators who shall be the commissioner, the state forester, and an assistant attorney general to be designated by the attorney general. Any award of damages made by said arbitrators, together with the cost of the appraisal, shall be certified to the comptroller, and shall thereupon be paid by the commonwealth in the same manner as other claims.

Compensation
for damages
incident to
checking spread
of white pine
blister rust.
Proviso.

Arbitrators,
payment of
award, etc.

G. L. 168, § 43,
amended.

SECTION 87. Section forty-three of chapter one hundred and sixty-eight of the General Laws is hereby amended by striking out, in the sixth line, the words "state auditor" and inserting in place thereof the word:—comptroller,—so as to read as follows:—*Section 43.* Any person claiming a right to money deposited with the state treasurer under either of the two preceding sections, or section fifty of chapter one hundred and seventy-two, may establish the same by a petition to the probate court in which the decree was entered; provided, that in cases where claims amount to less than fifty dollars, the claims may be presented to the comptroller, who shall examine the same and allow and certify for payment such as may be proved to his satisfaction.

Unclaimed
savings bank
deposits paid
to state
treasurer,
how reclaimed.

Proviso.

G. L. 175, § 178,
amended.

SECTION 88. Section one hundred and seventy-eight of chapter one hundred and seventy-five of the General Laws is hereby amended by striking out, in the fourteenth and seventeenth lines, the words "state auditor" and inserting in place thereof in each instance the word:—comptroller,—so as to

read as follows:— *Section 178.* The compensation of receivers of insolvent companies shall be fixed by the supreme judicial court. All accounts rendered to the court by such receivers shall be referred to the commissioner.

Compensation and accounts of receivers of insurance companies.

Such receivers, at the expiration of one year after final settlement ordered by the court, shall report to the court the names and residences, if known, of the persons entitled to money or dividends from the estate of such companies remaining in their hands uncalled for, with the amount due to each. The court shall thereupon order a notice to be given by the receivers and, upon the expiration of one year after the time of giving such notice, the receivers shall in like manner report the amounts still uncalled for. Unless cause shall appear for decreeing otherwise, such amounts shall then be ordered to be paid to the commonwealth, and schedules signed by the receivers shall at the same time be deposited with the state treasurer and comptroller, setting forth the decree of the court and the names and residences, so far as known, of the persons or parties entitled thereto, alphabetically arranged, and the amount due to each. The comptroller shall forthwith cause notice of such deposit to be mailed to such persons, and, upon certification by him that a claimant is entitled to any part of said deposit, it shall be paid in the same manner as other claims against the commonwealth. Upon the payment to the commonwealth of such unclaimed money or dividends by the receiver and the allowance by the court of his final account, or at the expiration of one year after the final settlement ordered by the court, if he then has in his hands no unclaimed money or dividends, he shall deposit with the commissioner all books and papers of such company, including those relative to his receivership, which shall be preserved by the commissioner.

Duties of receivers as to unclaimed money.

Report to court.

Payment to commonwealth, etc.

Notice of deposits to persons in interest by comptroller, etc.

Deposits of books and papers of company, when.

SECTION 89. Section one hundred and three of chapter one hundred and eighty-five of the General Laws is hereby amended by striking out, in the eighth, in the twentieth and in the twenty-second lines, the words "state auditor" and inserting in place thereof in each instance the word:— comptroller, — so as to read as follows:— *Section 103.* If there are defendants other than the state treasurer and judgment is entered for the plaintiff against the state treasurer and against any of the other defendants, execution shall issue against such other defendants and be levied upon them. If the execution is returned unsatisfied in whole or in part, and the officer returning the same certifies that the amount due cannot be collected from the land or goods of such other defendants, a justice of the superior court shall direct the clerk to certify the amount due on the execution to the comptroller, who shall thereupon audit and certify the amount of the execution in the same manner as claims against the commonwealth, and the state treasurer shall pay the amount out of the assurance fund, without any further act or resolve making an appropriation therefor.

G. L. 185, § 103, amended.

Registration of title to land. Judgments, how satisfied.

If judgment in such action cannot for any reason be entered against any of the other defendants it may be entered against the state treasurer alone, or, if it cannot be entered against all

Entry of judgment against state treasurer.

the other defendants, it may be entered against him and such of the other defendants as are found liable, and against whom judgment can lawfully be entered.

Certification
and payment
of judgment.

If judgment is entered against the state treasurer alone, the justice of the superior court before whom the action is tried shall direct the clerk to transmit to the comptroller a certificate of the entry of judgment and of the amount due, and the state treasurer shall pay the same upon the certificate of the comptroller, as above provided.

G. L. 217, § 33,
etc., amended.

SECTION 90. Section thirty-three of chapter two hundred and seventeen of the General Laws, as amended by section one of chapter forty-two of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the sixth line, the words "supervisor of administration" and inserting in place thereof the words: — budget commissioner, — by striking out, in the fourteenth and in the twentieth lines, wherever it occurs, the word "supervisor" and inserting in place thereof in each instance the words: — budget commissioner, — and by striking out, in the fifteenth line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 33.* (a) The registers for the several

Budget system
for payments
for clerical
assistance in
registries of
probate.

counties shall annually be allowed for clerical assistance in their respective counties, to be paid by the commonwealth, such sums as shall annually be appropriated by the general court. The said registers shall annually submit on or before the fifteenth day of October to the budget commissioner a statement showing in detail the amounts expended by them for clerical assistance in their respective counties for the current fiscal year, and estimates of the amounts required for clerical assistance for the ensuing fiscal year, with an explanation of any increased appropriations recommended and citations of the statutes relating thereto, together with such other information from time to time as may be required by the budget commissioner. The registers shall file at the same time duplicate copies thereof with the comptroller. If said estimates include any recommendations

Estimates for
new purposes.

for expenditures for new or special purposes or objects not authorized by statute, such recommendations shall be separately itemized in detail, together with such other information relating thereto as the budget commissioner requires. The budget commissioner shall study and review all estimates and requests for appropriations and other authorizations for expenditure of state funds filed with him pursuant to this section, and shall make such investigations as he may deem necessary in the preparation of the budget for the governor. (b) In the case of any clerical employees in the registries of probate of Middlesex and Suffolk counties whose salaries are assumed by the commonwealth under the terms of this section, service rendered prior to such assumption shall be counted as part of a continuous service under the terms of sections one to five, inclusive, of chapter thirty-two, and any such employee, irrespective of age, shall become a member of the state retirement system, but no such employee shall remain in the service of the commonwealth after

Retirement
rights, etc.,
of certain
clerical em-
ployees in
Middlesex and
Suffolk
registries of
probate.

reaching the age of seventy. (c) All clerical employees in the various registries of probate shall be subject to the provisions of sections forty-five to fifty, inclusive, of chapter thirty.

Classification of clerical employees in registries of probate.

G. L. 217, § 36, etc., amended.

SECTION 91. Section thirty-six of said chapter two hundred and seventeen, as amended by section four of chapter three hundred and thirty-three of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the second line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 36.* In the year following each state and national census, the comptroller shall adjust the salaries provided for in the two preceding sections in accordance with said sections, on the basis of said census, and the salaries so adjusted shall be allowed from January first in the year of adjustment.

Adjustment of salaries of judges, registers and assistant registers of probate and insolvency.

SECTION 92. The provisions of section eight and sections twenty-one to twenty-six, inclusive, of chapter five hundred and forty-five of the acts of nineteen hundred and twenty-two shall continue to be in force until their purposes have been accomplished. All other provisions of said chapter five hundred and forty-five are hereby repealed, but, notwithstanding such repeal, the commission on administration and finance shall continue to exercise and perform all the rights, powers, duties and obligations transferred to it by section one of said chapter five hundred and forty-five, and the several bureaus and the division of personnel and standardization of said commission shall continue to exercise and perform the functions assigned to them, respectively, by said chapter five hundred and forty-five, except as otherwise expressly provided in this act and except that the specific powers exercised prior to the taking effect of said chapter five hundred and forty-five by the supervisor of administration under section seven of chapter seven of the General Laws shall not be exercised by said division, as such powers are now included within the more general powers conferred by said chapter five hundred and forty-five on the purchasing bureau. The provisions of this act, so far as they are the same as those of said chapter five hundred and forty-five, shall be construed as a continuation thereof and not as new enactments.

Certain provisions of act of 1922 establishing commission on administration and finance to continue in force, etc.

Repeal of other provisions of said act, but, notwithstanding such repeal, certain rights, powers, duties, etc., to continue.

Provisions of this act, how construed.

Approved May 7, 1923.

AN ACT RELATIVE TO HIGH SCHOOL TRANSPORTATION IN CERTAIN TOWNS OF LESS THAN FIVE HUNDRED FAMILIES AND STATE AID THEREFOR.

Chap. 363

Be it enacted, etc., as follows:

Chapter seventy-one of the General Laws, as amended in section seven by section two of chapter two hundred and ninety-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section seven and inserting in place thereof the following: — *Section 7.* If the expenditure per thousand dollars valuation from the proceeds of local taxation for the support of public schools, made by any town of less than five hundred families or householders for the three town fiscal

G. L. 71, § 7, etc., amended.

State reimbursement to small towns for transportation, etc., of high school pupils.

years preceding any school year, averaged more than four and not more than five dollars, the commonwealth shall reimburse the town for one half the amount paid by it during said school year for transportation or board in accordance with the preceding section. If said average was more than five and not more than six dollars, the reimbursement shall be for three fourths of said amount, or if said average was more than six dollars, the reimbursement shall be for the entire sum. Such reimbursement shall not be based on the excess of any amount above forty cents for each day of actual attendance of any pupil. If, however, in order to reach the high school, a pupil must travel three or more miles in some manner other than by steam or electric railroad, or other public conveyance, then the town shall be reimbursed three fourths of the excess, if any, that it expends for such pupil's transportation or board, or both, above forty cents, but not above eighty cents, for each day of actual attendance. Said excess reimbursement shall be paid only to towns in which said average expenditure per thousand dollars valuation was more than five dollars. All expenditures for which reimbursement is claimed shall be subject to approval by the department.

Approved May 7, 1923.

Expenditures subject to approval of department of education.

Chap.364 AN ACT RELATIVE TO STATE REIMBURSEMENT TO TOWNS FOR VOCATIONAL AGRICULTURAL EDUCATION IN HIGH SCHOOLS.

Be it enacted, etc., as follows:

G. L. 74, § 10, amended.

State reimbursement to towns for vocational agricultural education in high schools.

Proviso.

Chapter seventy-four of the General Laws is hereby amended by striking out section ten and inserting in place thereof the following: — *Section 10.* The commonwealth shall reimburse towns paying fees under section eight for tuition in agricultural departments in high schools to the same extent as is provided by chapter seventy-one in the case of towns paying fees for tuition in public high schools, but in no event less than one half the amount so expended, and shall reimburse towns so paying fees for tuition in other vocational schools one half the amount so expended; provided, that in any event the commonwealth shall reimburse towns paying such tuition fees for children placed therein by the commissioner of public welfare or the trustees of the Massachusetts training schools for the whole amount so expended.

Approved May 7, 1923.

Chap.365 AN ACT TO PROVIDE FOR THE COMPLETION BY THE METROPOLITAN DISTRICT COMMISSION OF THE OLD COLONY BOULEVARD, SO-CALLED.

Be it enacted, etc., as follows:

Metropolitan district commission may complete Old Colony boulevard, so-called.

SECTION 1. The metropolitan district commission may expend a further sum of one million six hundred seventy-five thousand dollars in addition to the amount authorized by chapter six hundred and ninety-nine of the acts of nineteen hundred and twelve, for the purpose of constructing and completing the Old Colony boulevard, so-called, from a point at or near the

crossing of Columbia road and the New York, New Haven and Hartford railroad to a point near the Neponset bridge in Boston, and from a point near the Neponset bridge in Quincy to Quincy shore reservation at Atlantic in the city of Quincy.

SECTION 2. To meet the aforesaid additional expenditure, the state treasurer may, with the approval of the governor and council, issue bonds to an amount not exceeding one million six hundred seventy-five thousand dollars, in addition to the amount already authorized by said chapter six hundred and ninety-nine, as a part of the Metropolitan Parks Loan, Series Two. Such bonds shall be issued as coupon or registered bonds for such term of years as shall be recommended by the governor in accordance with the provisions of section three of article LXII of the amendments to the constitution, and shall bear interest semi-annually on the first day of January and July at such rate as shall be fixed by the state treasurer, with the approval of the governor and council.

State treasurer
may issue
bonds, etc.

Term.

Interest.

SECTION 3. There shall be annually appropriated from receipts in the Motor Vehicle Fees Fund a sum sufficient to meet the commonwealth's share of one half of all interest and serial payments upon the bonds issued under this act.

Appropriations
from Motor
Vehicle Fees
Fund, etc.

Approved May 7, 1923.

AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT FURNACE BROOK PARKWAY FROM NEWPORT AVENUE TO HANCOCK STREET IN THE CITY OF QUINCY.

Chap. 366

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized to expend a sum not exceeding one hundred and thirty-five thousand dollars in the construction of that part of Furnace brook parkway which extends from Newport avenue to Hancock street in the city of Quincy, including a bridge for carrying said parkway over or under the tracks of the New York, New Haven and Hartford railroad.

Metropolitan
district com-
mission may
construct part
of Furnace
Brook park-
way in Quincy.

SECTION 2. To meet said expenditures the state treasurer may, with the approval of the governor and council, issue bonds to an amount not exceeding one hundred and thirty-five thousand dollars as part of the Metropolitan Parks Loan, Series Two. Such bonds shall be issued as coupon or registered bonds for such term of years as shall be recommended by the governor in accordance with the provisions of section three of article LXII of the amendments to the constitution, and shall bear interest semi-annually on the first days of January and July at such rate as shall be fixed by the state treasurer with the approval of the governor and council.

State treasurer
may issue
bonds, etc.

Term.

Interest.

SECTION 3. There shall be annually appropriated from receipts in the Motor Vehicle Fees Fund a sum sufficient to meet the commonwealth's share of one half of all interest and serial payments upon the bonds issued under this act.

Appropriations
from Motor
Vehicle Fees
Fund, etc.

Approved May 7, 1923.

*Chap.*367 AN ACT AUTHORIZING THE CITY OF REVERE TO BORROW MONEY
FOR THE CONSTRUCTION OF STREETS, SEWERS, WATER MAINS
AND OTHER PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

City of Revere
may borrow
money for
construction of
streets, sewers,
water mains
and other
permanent
improvements.

SECTION 1. For the purpose of constructing Beach street from Church square to the metropolitan park reservation, Proctor avenue throughout its entire length, Fenno street from Broadway to Washington avenue, Walnut avenue from Beach street to Franklin avenue, and Winthrop avenue from the Boston, Revere Beach and Lynn Railroad to the water front, including the laying and relaying of water mains, sewers, drains and electric wires in said streets at the time of construction, the city of Revere may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Revere Permanent Improvement Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Revere
Permanent
Improvement
Loan, Act of
1923.

SECTION 2. This act shall take effect upon its passage.

Approved May 8, 1923.

*Chap.*368 AN ACT TO ESTABLISH THE SALARY OF THE COMMISSIONER OF
STATE AID AND PENSIONS.

Be it enacted, etc., as follows:

G. L. 6, § 22,
amended.

SECTION 1. Section twenty-two of chapter six of the General Laws is hereby amended by striking out, in the third and fourth lines, the words "a salary of four thousand dollars" and inserting in place thereof the words: — such salary, not exceeding five thousand dollars, as the governor and council shall determine, — so as to read as follows: — *Section 22.* There shall be an officer to be known as the commissioner of state aid and pensions, who shall be appointed by the governor, with the advice and consent of the council, for three years, at such salary, not exceeding five thousand dollars, as the governor and council shall determine. He shall devote his whole time to the duties of his office. He shall be state agent for the settlement of pensions, bounty and back pay claims of citizens of this commonwealth against the government of the United States.

Commissioner of
state aid and
pensions,
appointment,
salary, duties,
etc.

Time of taking
effect.

SECTION 2. This act shall not take effect until a sufficient appropriation has been made therefor, and then as of June first in the current year.

Approved May 8, 1923.

AN ACT TO ESTABLISH THE SALARY OF THE COMMISSIONER OF CONSERVATION. Chap.369

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter twenty-one of the General Laws is hereby amended by striking out, in the fourth line, the word "five" and inserting in place thereof the word: — six, — so as to read as follows: — *Section 2.* Upon the expiration of the term of office of a commissioner, his successor shall be appointed for three years by the governor, with the advice and consent of the council. The commissioner shall receive such salary, not exceeding six thousand dollars, as the governor and council determine.

G. L. 21, § 2,
amended.

Commissioner
of conservation,
appointment,
salary, etc.

SECTION 2. This act shall not take effect until a sufficient appropriation has been made therefor, and then as of June first in the current year.

Time of taking
effect.

Approved May 8, 1923.

AN ACT RELATIVE TO INTOXICATING LIQUORS AND CERTAIN NON-INTOXICATING BEVERAGES. Chap.370

Be it enacted, etc., as follows:

Chapter 370, Acts of 1923.

Two referenda petitions filed May 14 and 19, 1923.

See page 597.

AN ACT AUTHORIZING THE TRUSTEES OF THE BRISTOL COUNTY AGRICULTURAL SCHOOL TO REBUILD, FURNISH AND EQUIP ITS MAIN SCHOOL BUILDING. Chap.371

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Bristol county agricultural school may expend a sum, not exceeding one hundred thousand dollars, to rebuild, furnish and equip the main school building of said school, which was destroyed by fire on January seventeenth of the current year.

Trustees of
Bristol county
agricultural
school may re-
build, etc.,
school building.

SECTION 2. For the purposes aforesaid, the county commissioners of said county may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Bristol County Agricultural School Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the

Bristol county
commissioners
may borrow
money, etc.

Bristol County
Agricultural
School Loan,
Act of 1923.

*Chap.*367 AN ACT AUTHORIZING THE CITY OF REVERE TO BORROW MONEY
FOR THE CONSTRUCTION OF STREETS, SEWERS, WATER MAINS
AND OTHER PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

City of Revere
may borrow
money for
construction of
streets, sewers,
water mains
and other
permanent
improvements.

SECTION 1. For the purpose of constructing Beach street from Church square to the metropolitan park reservation, Proctor avenue throughout its entire length, Fenno street from Broadway to Washington avenue, Walnut avenue from Beach street to Franklin avenue, and Winthrop avenue from the Boston, Revere Beach and Lynn Railroad to the water front, including the laying and relaying of water mains, sewers, drains and electric wires in said streets at the time of construction, the city of Revere may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Revere Permanent Improvement Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of

Revere
Permanent
Improvement
Loan, Act of
1923.

Commissioner
of state aid and
pensions,
appointment,
salary, duties,
etc.

LAW IS HEREBY AMENDED BY STRIKING OUT, IN THE THIRD AND FOURTH LINES, THE WORDS "a salary of four thousand dollars" and inserting in place thereof the words: — such salary, not exceeding five thousand dollars, as the governor and council shall determine, — so as to read as follows: — *Section 22.* There shall be an officer to be known as the commissioner of state aid and pensions, who shall be appointed by the governor, with the advice and consent of the council, for three years, at such salary, not exceeding five thousand dollars, as the governor and council shall determine. He shall devote his whole time to the duties of his office. He shall be state agent for the settlement of pensions, bounty and back pay claims of citizens of this commonwealth against the government of the United States.

Time of taking
effect.

SECTION 2. This act shall not take effect until a sufficient appropriation has been made therefor, and then as of June first in the current year.

Approved May 8, 1923.

AN ACT TO ESTABLISH THE SALARY OF THE COMMISSIONER OF CONSERVATION. *Chap.369*

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter twenty-one of the General Laws is hereby amended by striking out, in the fourth line, the word "five" and inserting in place thereof the word:— six, — so as to read as follows:— *Section 2.* Upon the expiration of the term of office of a commissioner, his successor shall be appointed for three years by the governor, with the advice and consent of the council. The commissioner shall receive such salary, not exceeding six thousand dollars, as the governor and council determine.

G. L. 21, § 2, amended.

Commissioner of conservation, appointment, salary, etc.

SECTION 2. This act shall not take effect until a sufficient appropriation has been made therefor, and then as of June first in the current year.

Time of taking effect.

Approved May 8, 1923.

AN ACT RELATIVE TO INTOXICATING LIQUORS AND CERTAIN NON-INTOXICATING BEVERAGES. *Chap.370*

Be it enacted, etc., as follows:

Chapter one hundred and thirty-eight of the General Laws is hereby amended by inserting after section two the following new section:— *Section 2A.* No person shall manufacture, transport by air craft, water craft or vehicle, import or export spirituous or intoxicating liquor as defined by section three, or certain non-intoxicating beverages as defined by section one, unless in each instance he shall have obtained the permit or other authority required therefor by the laws of the United States and the regulations made thereunder.

G. L. 138, new section after § 2.

Manufacture, transportation, etc., of intoxicating liquors and certain non-intoxicating beverages regulated.

Approved May 9, 1923.

AN ACT AUTHORIZING THE TRUSTEES OF THE BRISTOL COUNTY AGRICULTURAL SCHOOL TO REBUILD, FURNISH AND EQUIP ITS MAIN SCHOOL BUILDING. *Chap.371*

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Bristol county agricultural school may expend a sum, not exceeding one hundred thousand dollars, to rebuild, furnish and equip the main school building of said school, which was destroyed by fire on January seventeenth of the current year.

Trustees of Bristol county agricultural school may rebuild, etc. school building.

SECTION 2. For the purposes aforesaid, the county commissioners of said county may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Bristol County Agricultural School Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the

Bristol county commissioners may borrow money, etc.

Bristol County Agricultural School Loan, Act of 1923.

county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws. The proceeds from the sale of the bonds or notes issued hereunder shall be paid to the trustees of said school by the treasurer of the county with the approval of the county commissioners.

To be submitted to
Bristol county
commissioners.
Proviso.

SECTION 3. This act shall take effect upon its acceptance by said county commissioners; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 9, 1923.

Chap.372 AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO INCUR INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES AND VALIDATING A VOTE OF SAID TOWN PASSED AT A SPECIAL TOWN MEETING.

Be it enacted, etc., as follows:

Town of
Watertown
may borrow
money for
schoolhouse
purposes.

SECTION 1. For the purpose of constructing a new senior high school building, and for the purchase of original equipment and furnishings for said building, the town of Watertown may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, six hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Watertown High School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under section one of this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Watertown
High School
Loan, Act of
1923.

Vote passed at
town meeting
ratified, etc.

SECTION 2. The action of the limited town meeting of the town of Watertown, at a regularly called meeting held April twenty-third, nineteen hundred and twenty-three, in voting to borrow the sum of fifteen thousand dollars, to provide money to carry out a vote of said town meeting appropriating the said sum for the purpose of paying for plans of a new senior high school and for the commission for the architect for said building, is hereby ratified and confirmed and the said town is hereby authorized to borrow said sum as provided in said vote, payable in the manner set forth therein, said indebtedness to be reckoned within the statutory limit of indebtedness of the town.

SECTION 3. This act shall take effect upon its passage.

Approved May 11, 1923.

Chap.373 AN ACT RELATIVE TO THE TRANSACTION OF INSURANCE BY CERTAIN DOMESTIC INSURANCE COMPANIES.

Emergency
preamble.

Whereas, The deferred operation of this act would defeat its purpose, which is to provide immediate relief to certain domestic insurance companies from the hardships incident to the operation of the present law relative to the transaction of insurance,

therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section thirty-one the following new section:— *Section 31A.* Domestic companies incorporated by special acts, whose charters grant authority to transact insurance within a limited or defined territory, may, notwithstanding such limitations, transact insurance anywhere outside the limits specified in the charter, subject to all general laws applicable to such companies. *Approved May 11, 1923.*

G. L. 175, new section after § 31.

Transaction of insurance by certain domestic insurance companies incorporated by special acts.

AN ACT RELATIVE TO THE LAND COURT.

Chap. 374

Be it enacted, etc., as follows:

SECTION 1. Section ten of chapter one hundred and eighty-five of the General Laws is hereby amended by striking out the last sentence, — so as to read as follows:— *Section 10.* The register of deeds in each district where land has been registered shall have the same authority as the recorder to make memoranda affecting the title of such land, and to enter and issue new certificates of title, and to affix the seal of the court to such certificates and duplicate certificates of title; but in executing the provisions of this chapter, registers of deeds shall be subject to the general direction of the recorder, in order to secure uniformity; and, in the performance of their duties under this chapter, the official designation of registers of deeds shall be assistant recorders for their respective registry districts.

G. L. 185, § 10, amended.

Register of deeds, duties as to registration of title to land, etc.

SECTION 2. Said chapter one hundred and eighty-five is hereby further amended by striking out section twelve and inserting in place thereof the following:— *Section 12.* The judge of the land court may appoint one or more examiners of title who shall be attorneys at law and he may also appoint a chief title examiner who shall perform all the duties of an examiner of title and such other duties in connection with the work of the court as the judge or associate judge may assign. Such chief title examiner shall also in case of the absence, sickness or disability of the recorder perform, under the title of deputy recorder, all of the official duties of the recorder.

G. L. 185, § 12, amended.

Judge of land court may appoint examiners of title, chief title examiner, etc.

SECTION 3. Section forty-five of said chapter one hundred and eighty-five is hereby amended by striking out, in the second line, the words “as stated in his petition, and”, — so as to read as follows:— *Section 45.* If the court, after hearing, finds that the petitioner has title proper for registration, a decree of confirmation and registration shall be entered, which shall bind the land and quiet the title thereto, subject only to the exceptions stated in the following section. It shall be conclusive upon and against all persons, including the commonwealth, whether mentioned by name in the petition, notice or citation, or included in the general description “to all whom it may concern”. Such decree shall not be opened by reason of the absence, infancy or

G. L. 185, § 45, amended.

Decree of confirmation and registration by land court.

Decree not to be opened, etc.

Proviso.

Remedy for
aggrieved
persons.

G. L. 262, § 39,
amended.

Certain fees of
land court.

other disability of any person affected thereby, nor by any proceeding at law or in equity for reversing judgments or decrees; subject, however, to the right of any person deprived of land, or of any estate or interest therein, by a decree of registration obtained by fraud to file a petition for review within one year after the entry of the decree, provided no innocent purchaser for value has acquired an interest. If there is any such purchaser, the decree of registration shall not be opened but shall remain in full force and effect forever, subject only to the right of appeal as provided by law from time to time. But any person aggrieved by such decree in any case may pursue his remedy in tort against the petitioner or against any other person for fraud in procuring the decree.

SECTION 4. Chapter two hundred and sixty-two of the General Laws is hereby amended by striking out section thirty-nine and inserting in place thereof the following: — *Section 39.* The fees payable under chapter one hundred and eighty-five shall be as follows: —

For the entry of every original petition or writ and transmitting it to the recorder, when filed with an assistant recorder, three dollars.

For every plan filed in an original proceeding, seventy-five cents, and for every new plan filed after original registration or for making a new plan on request of a registered owner, five dollars. The filing fee in a registry of deeds upon receipt from the recorder of the land court of a plan or copy of a plan shall be one dollar.

For indexing an instrument recorded while a petition for registration is pending, twenty-five cents.

For examining title, on a petition to register land, or on a petition to register easements or rights in land, the actual amount charged or allowed therefor to the examiner by the court.

For each notice by mail, twenty-five cents and the actual cost of printing.

For all services by a sheriff or deputy sheriff under provisions of chapter one hundred and eighty-five, the same fees as are provided by law for like services.

For each notice by publication, twenty-five cents and the actual cost of publication.

For entry of an order dismissing a petition for registration of title, or for foreclosure of a tax title, or a decree of foreclosure of a tax title or of redemption, and sending a memorandum to the assistant recorder, one dollar.

For entry of a decree of registration and sending a memorandum to the assistant recorder, one quarter of one per cent of the assessed value of the property registered, on the basis of the last assessment for municipal taxation, in addition to any sum payable under section ninety-nine of chapter one hundred and eighty-five, but in no one proceeding shall the amount payable under this paragraph be less than ten nor more than one thousand dollars.

For a copy of a decree of registration, foreclosure or redemption, one dollar.

For the entry of an original certificate of title and issuing one duplicate, three dollars. Certain fees of land court.

For making and entering a new certificate of title, including issue of one duplicate, one dollar.

For each additional duplicate certificate after the first, one dollar.

For the registration of every instrument, whether single or in duplicate or triplicate, including entering, indexing and filing it and attesting the registration thereof, and also making and attesting a copy of memorandum on one instrument or on a duplicate certificate when required, two dollars.

For making and attesting copy of memorandum on each additional instrument or duplicate certificate if required, seventy-five cents.

For filing and registering an adverse claim, three dollars.

For entering statement of change of residence or postoffice address, including endorsing and attesting it on a duplicate certificate, fifty cents.

For entering any note in the entry book or in the registration book, fifty cents.

For the registration of a suggestion of death or notice of issue of a warrant in insolvency or of adjudication of bankruptcy, fifty cents.

For the registration of a partial release, discharge or release of a mortgage or other instrument creating an encumbrance, or of an assignment or extension of a mortgage, or of a power of attorney, seventy-five cents.

For the registration of a memorandum or certificate of entry for possession or deposition in proof thereof, seventy-five cents.

For the registration of any levy, or of any discharge or dissolution of any attachment or levy, or of any certificate of or receipt for payment of taxes, or of a notice of a federal tax lien or of any mechanic's lien or lien for labor or materials, or a notice of any pending action or of a judgment or decree, fifty cents.

For endorsing on any mortgage, lease or other instrument a memorandum of partition, one dollar.

For every petition after the original registration, one dollar.

For a certified copy of any decree or registered instrument, the same fees as are provided for registers of deeds.

Approved May 11, 1923.

AN ACT RELATIVE TO THE SALARIES AND RETIREMENT ALLOWANCES OF THE PRESENT JUSTICES OF THE SUPREME JUDICIAL COURT.

Chap. 375

Be it enacted, etc., as follows:

SECTION 1. The present chief justice of the supreme judicial court shall receive a salary of twelve thousand five hundred dollars and each of the present associate justices of said court shall receive a salary of twelve thousand dollars. Present justices of supreme judicial court, salaries.

SECTION 2. Said chief justice and associate justices shall likewise be entitled to the benefits of sections sixty-one and sixty-two of chapter thirty-two of the General Laws, except Retirement allowances.

that their retirement allowances thereunder shall be based upon the salaries received by them immediately prior to the time this act takes effect.

Approved May 11, 1923.

Chap. 376 AN ACT AUTHORIZING THE TRUSTEES OF THE STATE LIBRARY TO RECEIVE MONEY AND SECURITIES IN TRUST FOR STATE LIBRARY PURPOSES, TO BE ADMINISTERED BY THE STATE TREASURER.

Be it enacted, etc., as follows:

G. L. 6, new section after § 37.

Trustees of state library may receive money, etc., in trust.

SECTION 1. Chapter six of the General Laws is hereby amended by inserting after section thirty-seven the following new section:— *Section 37A.* The said trustees may receive in trust for the commonwealth any gift or bequest of money or securities for any purpose incident to the uses of the state library, and shall forthwith transfer any money or securities so received to the state treasurer, who shall administer the same as provided by section sixteen of chapter ten.

G. L. 10, § 16, etc., amended.

State treasurer may receive and invest trust funds received from department of education, commissioner of conservation and trustees of state library, etc.

SECTION 2. Chapter ten of the General Laws, as amended in section sixteen by section two of chapter three hundred and one of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section sixteen and inserting in place thereof the following:— *Section 16.* He shall invest, reinvest and hold in the name of the commonwealth any money or securities, or the proceeds thereof, received from the department of education under section three of chapter sixty-nine, or from the commissioner of conservation under section sixty-nine of chapter one hundred and thirty-one, or from the trustees of the state library under section thirty-seven A of chapter six, and shall disburse the income or principal thereof on the order of the commissioner of the department having charge of the work in aid of which the gift or bequest was made, or on the order of the trustees of the state library in case of gifts or bequests for the use of the state library; provided, that no disposition of either income or principal shall be made which is inconsistent with the terms of the trust on which the property is held. He shall be responsible on his bond for the faithful management of all such property.

Approved May 11, 1923.

Chap. 377 AN ACT RELATIVE TO BETTERMENT ASSESSMENTS AND TAX SALES.

Be it enacted, etc., as follows:

G. L. 80, § 1, amended.

Assessment of cost of public improvements.

SECTION 1. Section one of chapter eighty of the General Laws is hereby amended by adding at the end thereof the following:— The board shall in the order of assessment designate as the owner of each parcel the person who was liable to assessment therefor on the preceding April first under the provisions of chapter fifty-nine, — so as to read as follows:— *Section 1.* Whenever a limited and determinable area receives benefit or advantage, other than the general advantage to the community, from a public improvement made by or in accordance with the formal vote or order of a board of officers of the commonwealth

or of a county, city, town or district, and such order states that betterments are to be assessed for the improvement, such board shall within six months after the completion of the improvement determine the value of such benefit or advantage to the land within such area and assess upon each parcel thereof a proportionate share of the cost of such improvement, and shall include in such cost all damages awarded therefor under chapter seventy-nine; but no such assessment shall exceed the amount of such adjudged benefit or advantage. The board shall in the order of assessment designate as the owner of each parcel the person who was liable to assessment therefor on the preceding April first under the provisions of chapter fifty-nine.

Designation of owner in order of assessment.

SECTION 2. Section four of said chapter eighty is hereby amended by striking out, in the fifth and sixth lines, the words "to whom each parcel was assessed at the last preceding annual assessment of taxes" and inserting in place thereof the following: — designated under section one as the owner of each parcel assessed, and any demand for the payment of such assessment shall be made upon such person, — and by striking out the last sentence, — so as to read as follows:— *Section 4.* Within a reasonable time after making the assessment the board shall commit the list of assessments upon land in each town with their warrant to the collector of taxes thereof, and he shall forthwith send notice in accordance with section three of chapter sixty, to the person designated under section one as the owner of each parcel assessed, and any demand for the payment of such assessment shall be made upon such person. Except as otherwise herein provided, the collector shall have the same powers and be subject to the same duties with respect to such assessments as in the case of the annual taxes upon real estate, and the law in regard to the collection of the annual taxes, to the sale of land for the non-payment thereof and to redemption therefrom shall apply to assessments made under this chapter, so far as the same are applicable; but the owner of land assessed shall not be personally liable for the assessment thereon. Every collector of taxes receiving a list and warrant from the board shall collect the assessment therein set forth, and at such times as the board shall direct shall pay over to the treasurer of the body politic on behalf of which the assessment was made the amounts collected by him.

G. L. 80, § 4, amended.

Collection of assessments.

SECTION 3. Section five of said chapter eighty is hereby amended by striking out, in the fifteenth line, the word "four" and inserting in place thereof the word: — six, — so as to read as follows:— *Section 5.* The owner of any real estate upon which betterments have been assessed may, within six months after notice of such assessment has been sent out by the collector, file with the board a petition for an abatement thereof, and the board within sixty days after such filing shall grant such abatement as may be necessary to make such assessment conform to section one. Such petition may be filed with the clerk or secretary of the board, or delivered by mail or otherwise at their office. The board shall within ten days after their decision upon the petition give written notice thereof to the petitioner. If an

G. L. 80, § 5, amended.

Abatement of assessments.

assessment is abated by the board the assessment so determined shall stand as the assessment upon the land, and if it has not been paid shall be collected in the same manner as the original assessment. If the assessment has been paid, the person by whom it was paid shall be reimbursed by the body politic on behalf of which it was assessed to the amount of the abatement allowed, with interest at the rate of six per cent per annum from the time of payment.

G. L. 80, § 12,
amended.

SECTION 4. Section twelve of said chapter eighty is hereby amended by striking out, in the fourth and fifth lines, the words "after the assessment is made" and inserting in place thereof the following:—from October first in the year in which the assessment is first placed on the annual tax bill under section thirteen, — so as to read as follows:— *Section 12.* Assessments made under this chapter shall constitute a lien upon the land assessed. The lien shall take effect upon the recording of the order stating that betterments are to be assessed for the improvement, and shall continue for two years from October first in the year in which the assessment is first placed on the annual tax bill under section thirteen, or, if an assessment has been apportioned, for two years after the last portion is payable, unless sooner paid. If the validity of an assessment made under this chapter is called in question in any legal proceeding to which the board which made the assessment or the body politic for the benefit of which it was made is a party, instituted prior to the expiration of the lien therefor, the lien shall continue until one year after the validity of the assessment is finally determined.

Assessments to
constitute
lien, etc.

Duration of
lien.

G. L. 80, § 13,
amended.

SECTION 5. Said chapter eighty is hereby further amended by striking out section thirteen and inserting in place thereof the following:— *Section 13.* Assessments made under this chapter shall bear interest at the rate of six per cent per annum from the thirtieth day after the assessments have been committed to the collector. The assessors shall add each year to the annual tax assessed with respect to each parcel of land all assessments, constituting liens thereon, which have been committed to the collector prior to April second of such year and which have not been apportioned as hereinafter provided, remaining unpaid when the valuation list is completed, with interest to the date when interest on taxes becomes due and payable. At any time before demand for payment by the collector and before the completion by the assessors of the valuation list for the year in which such assessments will first appear on the annual tax bill, the board of assessors may, and at the request of the owner of the land assessed shall, apportion all assessments made under this chapter into such number of equal portions, not exceeding ten, as is determined by said board or as is requested by the owner, as the case may be, but no one of such portions shall be less than five dollars. The assessors shall add one of said portions, with interest on the amount remaining unpaid from thirty days after the commitment of the original assessment to the collector to the date when interest on taxes becomes due and payable, to the first annual tax upon the land and shall add to the annual tax for each year thereafter one of said portions and one year's

Interest on
assessments.

Addition of
unpaid assess-
ments to
annual tax, etc.

Apportionment
of assessments.

interest on the amount of the assessment remaining unpaid until all such portions shall have been so added; all assessments and apportioned parts thereof, and interest thereon as herein provided, which have been added to the annual tax on any parcel of land shall be included in the annual tax bill thereon. After an assessment or a portion thereof has been placed on the annual tax bill, the total amount of said bill shall be subject to interest under and in accordance with the provisions of section fifty-seven of chapter fifty-nine. The amount remaining unpaid of any assessment may be paid in full at any time notwithstanding a prior apportionment.

SECTION 6. Section fourteen of said chapter eighty is hereby repealed. G. L. 80, § 14,
repealed.

SECTION 7. Chapter sixty of the General Laws is hereby amended by striking out section forty-three and inserting in place thereof the following: — *Section 43.* If the taxes are not paid, the collector shall, at the time and place appointed for the sale, sell by public auction, for the amount of the taxes and interest, if any, and necessary intervening charges, the smallest undivided part of the land which will bring said amount, or the whole for said amount, if no person offers to take an undivided part; and may at such sale require of the purchaser an immediate deposit of such sum as he considers necessary to insure good faith in payment of the purchase money, and, on failure of the purchaser to make such deposit forthwith, the sale shall be void and another sale may be made as provided in this chapter. The word "taxes" as used in this section shall include all betterment assessments or portions thereof and all other special assessments which constitute a lien upon the land and which have lawfully been placed upon the annual tax bill. G. L. 60, § 43,
amended.
Conduct of tax
sales, etc.

SECTION 8. The schedule of forms at the end of said chapter sixty is hereby amended as follows:— Word "taxes"
to include
betterment
assessments,
etc.
G. L. 60,
schedule of
forms amended.
Form No. 10,
amended.

Form No. 10 is amended by inserting after the word "thereon" in the eleventh line, the words: — ; and whereas there were added to and made a part of said taxes so assessed on said land certain apportioned and unapportioned betterment assessments and certain special assessments, with interest thereon, constituting a lien on said land, in the sum of dollars and cents, so that the whole amount of taxes on said land committed to me, including assessments and interest, was the sum of dollars and cents, — so that the form will read as follows: —

No. 10. FORM OF DEED UNDER SECTIONS 43 AND 45.

COMMONWEALTH OF MASSACHUSETTS.

To all Persons to whom these Presents may come,

I, , Collector of Taxes for the of , in the County of and Commonwealth of Massachusetts,

SEND GREETING:

Whereas, the Assessors of Taxes of said of , in the lists of assessments for taxes, which they committed to

Form of deed
under G. L. 60,
§§ 43, 45.

Form of deed
under G. L. 60,
§§ 43, 45.

me to collect for the year one thousand nine hundred and _____, duly assessed _____ as owner or occupant of the land in said _____, which is hereinafter described, the sum of _____ dollars and _____ cents, for State, County and [City or Town] Taxes thereon; and whereas there were added to and made a part of said taxes so assessed on said land certain apportioned and unapportioned betterment assessments and certain special assessments, with interest thereon, constituting a lien on said land, in the sum of _____ dollars and _____ cents, so that the whole amount of taxes on said land committed to me, including assessments and interest, was the sum of _____ dollars and _____ cents; and whereas, on the _____ day of _____ A.D. 19 _____, I duly demanded of said [if the demand was made on a mortgagee or an attorney of a non-resident owner, here insert the fact] _____ the payment of said taxes, so as aforesaid assessed on said land, and the same were not paid; and whereas, after the expiration of fourteen days from the time of demanding payment of said taxes as aforesaid, the same still remaining unpaid, I duly advertised that the smallest undivided part of said land sufficient to satisfy said taxes with interest and all legal costs and charges, or the whole of said land if no person offers to take an undivided part thereof, would be sold by public auction for the payment of said taxes with interest, and all legal costs and charges, on the _____ day of _____, A.D. 19 _____, at _____ o'clock in the _____ noon, at the _____ in said _____, by publishing an advertisement thereof, containing also a substantially accurate description, and the names of all owners of said land known to me, and the amount of the taxes so as aforesaid assessed thereon, in the _____, a newspaper published in _____, in the County where said land lies, three weeks successively, the last publication whereof was at least one week before the time appointed for the sale, and by posting the said advertisement in _____ public and convenient places in said _____, to wit: the _____, three weeks before the time appointed for said sale; and whereas, said taxes so as aforesaid assessed on said land were not paid, I proceeded at the time and place appointed as aforesaid for the sale, to offer for sale said land by public auction for the discharge and payment of said taxes thereon with interest, and said legal costs and charges, [if the sale is adjourned add the following:] and no person appeared and bid for an undivided part or for the whole of the land thus offered for sale an amount equal to the said taxes, interest, costs and charges, and I thereupon, at said time and place appointed for said sale, adjourned said sale until _____, the _____ day of _____, A.D. 19 _____, at _____ o'clock in the _____ noon, at the same place, and then and there made public proclamation of said adjournment; [if there are several adjournments use the following:] and in like manner in all respects and for the same cause, I adjourned said sale [here state the successive dates, hours and places to which the sale was adjourned], and then and there made public proclamation of said adjournments; and at the time and place so

fixed and proclaimed for making said sale on each of the several days, I proceeded to offer for sale said land by public auction for the payment of said taxes, interest, costs and charges, and no person appeared at either time so fixed by adjournment for said sale and bid a sum equal to said taxes, interest, costs and charges, until on the _____ day of _____, A.D. 19 _____,

Form of deed
under G. L. 60,
§§ 43, 45.

_____ the time and place so fixed for said sale by the last of the said adjournments [or, if there was but one adjournment, use such averments as will conform to that fact], I proceeded again to offer for sale by public auction for the payment of said taxes, interest, costs and charges, the smallest undivided part of said land sufficient for the payment of said taxes with interest and legal costs and charges; [If an offer is made for an undivided part use the following:] and _____ of _____ in the County of _____

and State of _____ offered at said auction to take one undivided _____ part of said land and to pay therefor the amount of said taxes with interest and the legal costs and charges, and that being the smallest undivided part of said land offered to be taken for the payment of said taxes, interest, costs and charges, one undivided _____ part of said land was struck off to said _____.

Therefore, know ye, that I, the said _____, Collector of Taxes as aforesaid, by virtue of the power vested in me by law, and in consideration of the said sum of _____ dollars and _____ cents to me paid by said _____, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto _____ the said _____ one undivided _____ part of the following described land, being the land taxed as aforesaid, to wit: [here describe the land.]

[If sale is made of the whole, use the following:] and no person offering at said auction to take an undivided part of said land, the whole of said land was struck off to _____ of _____ in the County of _____ and State of _____ for the sum of _____ dollars and _____ cents, being the amount of the taxes and necessary intervening charges.

Therefore, know ye, that I, the said _____, Collector of Taxes as aforesaid, by virtue of the power vested in me by law, and in consideration of the said sum of _____ dollars and _____ cents to me paid by said _____, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto _____ the said _____ the following described land, the same being the land taxed as aforesaid, to wit: [here describe the land.]

[In each case conclude as follows:]

To have and to hold the same, to the said _____, h _____ heirs and _____ assigns, to _____ and their use and behoof forever; subject to the right of redemption by any person legally entitled to redeem the same and to all easements and restrictions lawfully existing in, upon or over said land or appurtenant thereto when so taken.

And I, the said Collector, do covenant with the said _____, h _____ heirs and assigns, that the sale aforesaid has, in all particulars, been conducted according to law.

Form of deed
under G. L. 60,
§§ 43, 45.

In witness whereof, I, the said _____, Collector as afore-
said, have hereunto set my hand and seal, this _____ day of
_____, in the year of our Lord one thousand nine hundred
and _____.

_____[SEAL].
Collector of Taxes for the _____ of _____.

Signed, sealed and delivered in the presence of.....

ss. _____ 19 _____.

Then personally appeared the above named _____,
Collector of Taxes for the _____ of _____, and
acknowledged the foregoing instrument to be his free act and
deed.

Before me,

Justice of the Peace.

My commission expires _____, 19 _____.

Form No. 11,
amended.

Form No. 11 is amended by inserting after the word "thereon"
in the eleventh line the words:—; and whereas there were
added to and made a part of said taxes so assessed on said land
certain apportioned and unapportioned betterment assessments
and certain special assessments, with interest thereon, consti-
tuting a lien on said land, in the sum of _____ dollars and
_____ cents, so that the whole amount of taxes on said
land committed to me, including assessments and interest, was
the sum of _____ dollars and _____ cents,— so
that the form will read as follows:—

NO. 11. FORM OF DEED WHEN THE CITY OR TOWN IS THE
PURCHASER UNDER SECTIONS 48 AND 50.

Form of deed
when the city
or town is the
purchaser under
G. L. 60,
§§ 48, 50.

COMMONWEALTH OF MASSACHUSETTS.

To all Persons to whom these Presents may come,
I, _____, Collector of Taxes for the [City or Town] of
_____, in the County of _____ and Commonwealth of
Massachusetts,

SEND GREETING:

Whereas, the Assessors of Taxes of said _____ of _____,
in the lists of assessments for taxes, which they committed to
me to collect for the year one thousand nine hundred and _____,
duly assessed _____ as owner or occupant of the land in
said _____, which is hereinafter described, the sum of
_____ dollars and _____ cents, for State, County
and [City or Town] Taxes thereon; and whereas there were
added to and made a part of said taxes so assessed on said land
certain apportioned and unapportioned betterment assessments
and certain special assessments, with interest thereon, constitut-
ing a lien on said land, in the sum of _____ dollars and
_____ cents, so that the whole amount of taxes on said
land committed to me, including assessments and interest, was
the sum of _____ dollars and _____ cents; and
whereas, on the _____ day of _____, A.D. 19 _____,

I duly demanded of said *[if the demand was made on a mortgagee or an attorney of a non-resident owner, here insert the fact]*

Form of dec.1
when the city
or town is the
purchaser under
G. L. 60,
§§ 48, 50.

the payment of said taxes, so as aforesaid assessed on said land, and the same were not paid; and whereas, after the expiration of fourteen days from the time of demanding payment of said taxes as aforesaid, the same still remaining unpaid, I duly advertised that the smallest undivided part of said land sufficient to satisfy said taxes with interest and all legal costs and charges, or the whole of said land if no person offers to take an undivided part thereof, would be sold by public auction for the payment of said taxes with interest, and all legal costs and charges, on the day of , A.D. 19 , at

o'clock in the noon, at the , in said

, by publishing an advertisement thereof, containing also a substantially accurate description, and the names of all owners of said land, and the amount of the taxes so as aforesaid assessed thereon, in the , a newspaper published in , in the County where said land lies, three weeks successively, the last publication whereof was at least one week before the time appointed for the sale, and by posting the said advertisement in public and convenient places in said , to wit: the , three weeks

before the time appointed for said sale; and whereas, said taxes so as aforesaid assessed on said land were not paid, I proceeded at the time and place appointed as aforesaid for the sale, to sell said land by public auction for the discharge and payment of said taxes thereon with interest, and said legal costs and charges and no person appeared and bid for the estate thus offered for sale an amount equal to the said taxes, interest, costs and charges, and I thereupon, at said time and place appointed for sale, adjourned said sale until the day of , A.D. 19 , at o'clock in the noon at the

same place, and then and there made public proclamation of said adjournment; and in like manner in all respects and for the same cause I adjourned said sale *[here state the successive dates, hours and places to which the sale was adjourned]*, and then and there made public proclamation of said adjournments; and at the time and place so fixed and proclaimed for making said sale on each of said several days, I proceeded to offer for sale said real estate by public auction for the payment of said taxes, interest, costs and charges, and no person appeared at either time so fixed by adjournment for said sale and bid a sum equal to said taxes, interest, costs and charges, and at the time and place so fixed for said sale by the last of the said adjournments, namely, on the day of , A.D. 19 , at

o'clock in the noon, I made a public declaration of all the facts hereinbefore recited; and no person then appeared and bid a sum equal to said taxes, interest, costs and charges *[if only one adjournment is made, change these averments to conform to the facts]*; and I thereupon then and there immediately gave public notice that I should, and that I then and there did purchase on behalf of the said of , said real estate for the sum of dollars and cents, being the amount of said taxes, interest, costs and charges;

Form of deed
when the city
or town is the
purchaser under
G. L. 60,
§§ 48, 50.

Therefore know ye, that I, the said _____, Collector of Taxes as aforesaid, by virtue of the power vested in me by law, and in consideration of the premises, hereby give, grant, bargain, sell and convey unto the said _____ of _____, the following described real estate, the same being the land taxed as aforesaid, to wit: [*here describe the estate.*]

To have and to hold the same, to the said [City or Town] of _____, and its assigns, to its and their use and behoof forever; subject to the right of redemption by any person legally entitled to redeem the same and to all easements and restrictions lawfully existing in, upon or over said land or appurtenant thereto when so taken.

And I, the said Collector, do covenant with the said _____ of _____, and its assigns, that the sale aforesaid has, in all particulars, been conducted according to law.

In witness whereof, I, the said _____, Collector as aforesaid, have hereunto set my hand and seal, this _____ day of _____, in the year of our Lord one thousand nine hundred and _____.

Collector of Taxes for the _____ of _____ [SEAL.]

Signed, sealed and delivered in presence of _____
ss. _____ 19 ____.

Then personally appeared the above named _____, Collector of Taxes for the _____ of _____, and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Justice of the Peace.

My commission expires _____, 19 ____.

Form No. 12,
amended.

Form No. 12 is amended by inserting after the word "thereon" in the eleventh line the words:—; and whereas there were added to and made a part of said taxes so assessed on said land certain apportioned and unapportioned betterment assessments and certain special assessments, with interest thereon, constituting a lien on said land, in the sum of _____ dollars and _____ cents, so that the whole amount of taxes on said land committed to me, including assessments and interest, was the sum of _____ dollars and _____ cents,— so that the form will read as follows:—

No. 12. FORM OF DEED TO CITY OR TOWN, WHEN THE PURCHASER FAILS TO PAY, ETC., UNDER SECTIONS 49 AND 50.

Form of deed to
city or town,
when the pur-
chaser fails
to pay, etc.,
under G. L. 60,
§§ 49, 50.

COMMONWEALTH OF MASSACHUSETTS.
To all Persons to whom these Presents may come,
I, _____, Collector of Taxes for the [City or Town] of _____, in the County of _____ and Commonwealth of Massachusetts,

SEND GREETING:

Form of deed to city or town, when the purchaser fails to pay, etc., under G. L. 60, §§ 49, 50.

Whereas, the Assessors of Taxes of said _____ of _____, in the lists of assessments for taxes, which they committed to me to collect for the year one thousand nine hundred and _____, duly assessed _____ as owner or occupant of the land in said _____, which is hereinafter described, the sum of _____ dollars and _____ cents, for State, County and [City or Town] Taxes thereon; and whereas there were added to and made a part of said taxes so assessed on said land certain apportioned and unapportioned betterment assessments and certain special assessments, with interest thereon, constituting a lien on said land, in the sum of _____ dollars and _____ cents, so that the whole amount of taxes on said land committed to me, including assessments and interest, was the sum of _____ dollars and _____ cents; and whereas, on the _____ day of _____, A.D. 19____, I duly demanded of said [if the demand was made on a mortgagee or an attorney of a non-resident owner, here insert the fact] _____ the payment of said taxes, so as aforesaid assessed on said land, and the same were not paid; and whereas, after the expiration of fourteen days from the time of demanding payment of said taxes as aforesaid, the same still remaining unpaid, I duly advertised that the smallest undivided part of said land sufficient to satisfy said taxes with interest and all legal costs and charges, or the whole of said land if no person offers to take an undivided part thereof, would be sold by public auction for the payment of said taxes with interest, and all legal costs and charges, on the _____ day of _____, A.D. 19____, at _____ o'clock in the _____ noon, at the _____, in said _____, by publishing an advertisement thereof, containing also a substantially accurate description, and the names of all owners of said land known to me, and the amount of the taxes so as aforesaid assessed thereon, in the _____, a newspaper published in _____, in the County where said land lies, three weeks successively, the last publication whereof was one week before the time appointed for the sale, and by posting the said advertisement in _____ public and convenient places in said _____, to wit: the _____, three weeks before the time appointed for said sale; and whereas, said taxes so as aforesaid assessed on said land were not paid, I proceeded at the time and place appointed as aforesaid for the sale, to sell said land by public auction for the discharge and payment of said taxes thereon with interest, and said legal costs and charges, and, no person offering to take an undivided part of the land for the amount of the taxes and necessary intervening charges, the whole of the said real estate was struck off to _____ of _____ in the County of _____ and State of _____ for the sum of _____ dollars and _____ cents, being the amount of the taxes and necessary intervening charges; and whereas, the said _____ failed to pay to me the sum offered by him as aforesaid, and receive his deed of the premises bid off by him, within twenty days after the said sale, and the said sale became null and void,

Form of deed to city or town when the purchaser fails to pay, etc., under G. L. 60, §§ 49, 50.

and the said _____ of _____ thereby became the purchaser of the premises so bid off by the said _____ for the sum of _____ dollars and _____ cents, being the amount of said taxes, interest, costs and charges;

Therefore know ye, that I, the said _____, Collector of Taxes as aforesaid, by virtue of the power vested in me by law, and in consideration of the premises, hereby give, grant, bargain, sell and convey unto the said _____ of _____, the following described real estate, the same being the land taxed as aforesaid, to wit: [*here describe the estate.*]

To have and to hold the same, to the said _____ of _____, and its assigns, to its and their use and behoof forever; subject to the right of redemption by any person legally entitled to redeem the same, and to all easements and restrictions lawfully existing in, upon or over said land or appurtenant thereto when so taken.

And I, the said Collector, do covenant with the said _____ of _____ and its assigns, that the sale aforesaid has in all particulars been conducted according to law.

In witness whereof, I, the said _____, Collector as aforesaid, have hereunto set my hand and seal, this _____ day of _____, in the year of our Lord one thousand nine hundred and _____.

.....[SEAL.]
Collector of Taxes for the _____ of _____.

Signed, sealed and delivered in presence of.....

ss. _____ 19 ____.

Then personally appeared the above named _____, Collector of Taxes for the _____ of _____, and acknowledged the foregoing instrument to be his free act and deed.

Before me,
.....
Justice of the Peace.

My commission expires _____, 19 ____.

Form No. 14, amended.

Form No. 14 is amended by adding at the end of the fourth line the words: — with apportioned and unapportioned betterment assessments and special assessments, with interest thereon, constituting a lien on said land, which had been added thereto, — so that the form will read as follows: —

NO. 14. FORM OF TAKING OF REAL ESTATE UNDER SECTION 54.

Form of taking real estate under G. L. 60, § 54.

Whereas, the tax assessed by the assessors of _____ as of the first day of April, in the year 19 _____, upon _____ as the owner or occupant of the real estate hereinafter described, was duly committed to me as Collector of Taxes for said _____ of _____; and whereas, the said taxes, with apportioned and unapportioned betterment assessments and special assessments, with interest thereon, constituting a lien on said land, which had been added thereto, amounting to _____

dollars and cents, have not been paid; and whereas, a demand for the payment of said taxes and the interest, costs and charges then due was made by me on the said on the day of , last past, in conformity to law; and whereas, notice of my intention to take said real estate by virtue of the authority vested in me as Collector of Taxes for said has been duly given, as by law required; and whereas, the said taxes, at the date of this instrument, remain unpaid; now, therefore, KNOW ALL MEN BY THESE PRESENTS, that I, , as Collector of Taxes as aforesaid, by virtue of the power and authority in me vested as aforesaid, have taken, and by these presents do take, for the said of , subject to redemption according to law, and to all easements and restrictions lawfully existing in, upon or over said land or appurtenant thereto when so taken, the following described lot or parcel of land, with the buildings thereon, the same being the estate assessed as aforesaid, to wit: [*here describe the estate.*]

Form of taking
real estate
under G. L. 60,
§ 54.

The said is the only person known to me as owner of the above described estate. [*If the foregoing statement is not true, state the names of all owners known to the collector.*]

In witness whereof, I, the said , as Collector as aforesaid, hereunto set my hand and seal this day of , in the year nineteen hundred and .

.....[SEAL.]
Collector of Taxes for the of .

Form No. 18 is amended by inserting after the blank space in the sixth line thereof the words: — with apportioned and unapportioned betterment assessments and special assessments, with interest thereon, constituting a lien thereon, which had been added thereto, and, — so that the form will read as follows: —

Form No. 18,
amended.

NO. 18. FORM OF AFFIDAVIT UNDER SECTION 57 OF DEMAND AND NOTICE TO BE ANNEXED TO THE INSTRUMENT OF TAKING.

I, C D, of in the County of , and Commonwealth of Massachusetts, on oath depose and say that on the day of , A.D. 19 , I, as Collector of Taxes for the of , made a written demand on for the amount of the tax assessed by the assessors of said of , as of the first day of April, A.D. 19 , upon the said , with apportioned and unapportioned betterment assessments and special assessments, with interest thereon, constituting a lien thereon, which had been added thereto, and with the interest, costs and charges, then due, on certain real estate situated in said of , by [*here state manner in which the demand was made*], of which the following is a true copy:

Form of
affidavit under
G. L. 60, § 57
of demand and
notice to be
annexed to the
instrument of
taking.

Form of
affidavit under
G. L. 60, § 57
of demand and
notice to be
annexed to the
instrument of
taking.

“C, _____, 19 ____.

To _____, I hereby demand of you the payment of _____ dollars and _____ cents, that being the amount of tax assessed for the year 19 ____ by the assessors of _____, on the real estate [*here describe the estate*] owned by you. You are hereby notified that if said amount, together with the interest, costs and charges thereon, is not paid within fourteen days from this date, the said real estate will be taken for said taxes for the said [city or town] of _____. Tax, \$ _____; interest, costs and charges, \$ _____.
C D,
Collector of Taxes for the _____ of _____.”

[*If notice is published and posted, add:*] And I, the said C D, do further depose and say that I posted and published notices, of which the following is a copy [*here annex a copy of the notice*], as follows: A copy thereof was posted on [*here state where posted*], and I also published a copy of said notice in the _____, a newspaper published in said _____ [if there be no such paper published in said town, state the fact and add, “in _____ in said county”], three weeks successively, that the posting of said notices and the first publication thereof were more than fourteen days after making the demand as aforesaid; and I do further depose and say that, at the date of the instrument of taking, hereto annexed, the amount of taxes due on the estate therein described, with the interest, costs and charges, amounted to the sum of _____ dollars and _____ cents, and that the parcel or parcels of land were taken for the reason that the taxes remained unpaid at the time of the said taking.

.....
Collector of Taxes for the _____ of _____.
ss. _____, 19 ____.

Then personally appeared the above named C D, and made oath that the foregoing affidavit by him subscribed is true.
Before me,
.....
Justice of the Peace.

My commission expires _____, 19 ____.
Approved May 11, 1923.

Chap.378 AN ACT RELATIVE TO THE TAXATION OF CERTAIN CORPORATIONS AND OF CERTAIN INCOME.

Be it enacted, etc., as follows:

G. L. 62, § 1,
sub-sect. (a),
cl. First,
amended.

SECTION 1. Section one of chapter sixty-two of the General Laws is hereby amended by striking out all after the word “Company” in the eighth line down to and including the word “sixty-eight” in the eleventh and twelfth lines and inserting in place thereof the words: — or in the savings department of any trust company so chartered, — so that clause First of sub-sect-

tion (a) will read as follows: — *First*, Deposits in any savings bank chartered by the commonwealth or in the Massachusetts Hospital Life Insurance Company, or in the savings department of any trust company so chartered, and deposits in any bank situated in the state of New Hampshire, so long as the provisions of chapter one hundred and eighty-nine of the Public Acts of nineteen hundred and seventeen of that state remain in force, and deposits in any bank in any other state which exempts from taxation to its inhabitants similar deposits, and interest and dividends thereon, owned by such inhabitants in banks in this commonwealth.

Taxation of income derived from certain intangibles.

SECTION 2. Chapter sixty-three of the General Laws is hereby amended by striking out section eight and inserting in place thereof the following: — *Section 8.* The amount paid into the treasury annually, under this chapter, on account of shares in banks, which on April first are the absolute property of any savings bank or the savings department of any trust company, liable to taxation under section eleven, shall be deducted from the taxes of such savings bank or such savings department of a trust company at the next payment by it to the commonwealth after the collection of the taxes on such bank shares. The commissioner may require a statement of all shares so owned by any savings bank or by any savings department of a trust company, in a form approved by him, signed and sworn to by the treasurer or like financial officer thereof. From such statement and other evidence, and subject to appeal by such corporation under section seventy-one, he shall determine the amounts to be deducted, and certify the same to the state treasurer upon the final determination thereof; but the amount so to be deducted from the tax payable by any savings bank or by any savings department of a trust company shall not exceed, in any year, the amount of the tax assessed on account of that portion of its deposits invested in shares in such banks.

G. L. 63, § 8, amended.

Deduction of bank taxes paid by savings banks and savings departments of trust companies.

Amount of deduction limited.

SECTION 3. Said chapter sixty-three, as amended in section eleven by section two of chapter five hundred and twenty of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section eleven and inserting in place thereof the following: — *Section 11.* Every savings bank and every trust company having a savings department, as defined respectively in chapters one hundred and sixty-eight and one hundred and seventy-two, shall pay to the commissioner, on account of its depositors, an annual tax of one half of one per cent, which shall be levied on the amount of the deposits in a savings bank, and on the amount of the deposits in the savings department of a trust company, to be assessed and paid as follows: one fourth of one per cent shall be assessed by the commissioner upon the average amount of such deposits for the six months preceding May first, and paid on or before May twenty-fifth; and a like percentage shall be assessed upon the average amount of such deposits for the six months preceding November first, and paid on or before November twenty-fifth.

G. L. 63, § 11, etc., amended.

Taxation of deposits in savings banks and savings departments of trust companies.

SECTION 4. Section twenty-eight of said chapter sixty-three, as amended by section five of chapter five hundred and twenty

G. L. 63, § 28, etc., amended.

of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the ninth, tenth and eleventh lines, the words:— “, whether assessed before or after July first, shall bear interest at the rate of twelve per cent per annum from that date” and inserting in place thereof the words:— shall bear interest at the rate of six per cent per annum from the date payable until July first and, whether assessed before or after July first, shall bear interest at the rate of twelve per cent per annum from July first, — so as to read as follows:—

Section 28. The commissioner, from such returns, and from such other evidence as he may obtain, shall assess upon all insurance companies subject to this chapter the taxes imposed by sections twenty to twenty-three, inclusive, and shall forthwith upon making such assessment give to every such company notice of the amount thereof. Such taxes shall become due and payable to the commissioner thirty days after the date of such notice but not later than July first. All such taxes shall bear interest at the rate of six per cent per annum from the date payable until July first and, whether assessed before or after July first, shall bear interest at the rate of twelve per cent per annum from July first until they are paid. Within ten days after the date of such notice the company may apply to the commissioner for a correction of said excise, and in default of settlement may be heard thereon by the board of appeal.

Taxation of insurance companies.

Assessment and notice to companies.
Interest.

Application for correction.
Hearing by board of appeal.

G. L. 63, § 29, etc., amended.

SECTION 5. Section twenty-nine of said chapter sixty-three, as amended by section six of chapter five hundred and twenty of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the fourth and fifth lines, the words “at the rate of twelve per cent per annum” and inserting in place thereof the words:— as provided in the preceding section, — so as to read as follows:— *Section 29.* Every domestic or foreign insurance company shall be liable for the full amount of all taxes assessed under this chapter upon it or its agents, which, with interest as provided in the preceding section, may be recovered in contract by the commissioner in the name of the commonwealth. It shall further be liable, upon an information, to an injunction restraining it and its agents from the further prosecution of its business until all taxes due with costs and interest are fully paid.

Taxation of insurance companies.

Recovery of tax.

Liable to injunction, etc.

G. L. 63, § 56, amended.

SECTION 6. Section fifty-six of said chapter sixty-three is hereby amended by inserting after the word “company,” in the second line the words:— the guaranty fund in the savings department of such company as provided by section sixty-four of chapter one hundred and seventy-two of the General Laws shall not be included in the surplus and undivided profits of such company, and, — so as to read as follows:— *Section 56.* In determining under the preceding section the value of the corporate franchise of a trust company, the guaranty fund in the savings department of such company as provided by section sixty-four of chapter one hundred and seventy-two of the General Laws shall not be included in the surplus and undivided profits of such company, and that part of its real estate represented by its interest as mortgagee in taxable real estate within

Determination of value of corporate franchises of trust companies for taxation purposes.

the commonwealth shall, for purposes of deduction under clause fifth of said section, be regarded as the average amount of value of such part of its real estate for the year for which the tax on the corporate franchise is levied, such average amount of value to be determined monthly in such manner as the commissioner shall deem just.

SECTION 7. Said chapter sixty-three, as amended in section seventy-two by section eleven of chapter five hundred and twenty of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section seventy-two and inserting in place thereof the following: — *Section 72.* When a tax or excise of any kind remains due to or is claimed by the commonwealth from a corporation, company or association, whether existing by authority of the commonwealth or otherwise, except a municipal corporation, for ten days after notice given through the mail by the commissioner to its treasurer or other financial agent that such tax or excise is due and unpaid, the commissioner may, in addition to other modes of relief, issue his warrant, directed to the sheriffs of the several counties, or their deputies, or to any constable, commanding the collection of such tax or excise. Such warrant may be substantially in the form of and served in the same manner as those issued by the assessors of towns. The warrant shall run throughout the commonwealth, and any officer to whom it is directed may serve it in any county. The warrant shall not run against the body of any person nor shall any property of such delinquent corporation, company or association be exempt from seizure and sale thereon. The officer having such warrant shall collect such tax or excise, and interest upon the same at the rate of twelve per cent per annum from the time when such tax or excise became due, and may collect and receive for his fees the sum which an officer would be entitled by law to receive upon an execution for a like amount. He shall also collect one dollar for the warrant, which he shall pay to the commissioner.

G. L. 63, § 72,
etc., amended.

Collection of
corporation
taxes, etc., by
warrant.

Form, service
etc., of
warrant.

Officers' fees,
etc.

Approved May 11, 1923.

AN ACT ESTABLISHING THE OFFICE AND FIXING THE SALARY
OF THIRD ASSISTANT CLERK OF THE MUNICIPAL COURT OF
THE ROXBURY DISTRICT OF THE CITY OF BOSTON.

Chap. 379

Be it enacted, etc., as follows:

SECTION 1. Section ten of chapter two hundred and eighteen of the General Laws, as amended by section one of chapter two hundred and eighty-seven of the acts of nineteen hundred and twenty-one, by section one of chapter sixty-three of the acts of nineteen hundred and twenty-two and by section four of chapter one hundred and sixty-four and chapter three hundred and fourteen, both of the acts of nineteen hundred and twenty-three, is hereby further amended by adding at the end thereof the following: — A third assistant clerk with salary payable by the county may be appointed in the municipal court of the Roxbury district.

G. L. 218, § 10,
etc., amended.

Municipal
court, Roxbury
district, third
assistant clerk,
office estab-
lished.

G. L. 218, § 79,
amended.

Municipal
court, Roxbury,
district, third
assistant clerk,
salary estab-
lished.

To be sub-
mitted to
mayor of
Boston, etc.
Proviso.

SECTION 2. Section seventy-nine of said chapter two hundred and eighteen is hereby amended by adding at the end thereof the following: — The salary of the third assistant clerk of the municipal court of the Roxbury district shall be forty-five per cent of the salary of the clerk of said court.

SECTION 3. This act shall take effect upon its approval by the mayor of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year. *Approved May 11, 1923.*

Chap.380 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A CERTAIN SUM OF MONEY TO WILLIAM J. COPPELL.

Be it enacted, etc., as follows:

City of Boston
may pay
money to
William J.
Coppell.

SECTION 1. The city of Boston may pay to William J. Coppell a sum, not exceeding twenty-five hundred dollars, to reimburse him for injuries sustained while assisting a police officer in making an arrest.

To be sub-
mitted to city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 11, 1923.

Chap.381 AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN TEACHERS IN THE PUBLIC SCHOOLS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. 32, § 11,
par. 1,
amended.

SECTION 1. Section eleven of chapter thirty-two of the General Laws is hereby amended by inserting after the word "amended" in the sixth line the words: — or chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, — so that paragraph (1) will read as follows: — (1) Any member withdrawing from the public school service before becoming eligible to retirement, except for the purpose of entering the service of the commonwealth, and any member who becomes subject to chapter two hundred and thirty-seven of the acts of nineteen hundred and chapter five hundred and eighty-nine of the acts of nineteen hundred and eight as amended or chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two shall be entitled to receive from the annuity fund all amounts contributed as assessments, together with regular interest thereon, either in one sum or, at the election of the board, in four quarterly payments. If a member dies before receiving all his quarterly payments the balance thereof shall be paid to his estate.

State teachers'
retirement
association,
refund of
contributions
in certain cases.

G. L. 32, § 18,
amended.

Certain pro-
visions as to
state teachers'
retirement
association not
applicable to
Boston, except,
etc.

SECTION 2. Said chapter thirty-two is hereby further amended by striking out section eighteen and inserting in place thereof the following: — *Section 18.* Sections six to fifteen, inclusive, shall not apply to teachers in the public schools of Boston, except teachers who, on September first, nineteen hundred and twenty-three, are employed by Boston and are members of the association.

SECTION 3. Section two of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by striking out paragraph (b) and inserting in place thereof the following: — (b) "Employee" shall mean any regular and permanent employee of the city of Boston or county of Suffolk (except teachers who, on September first, nineteen hundred and twenty-three, are employed by the city of Boston and are members of the state teachers' retirement association) whose only or principal employment is in the service of the city of Boston or county of Suffolk, or any regular and permanent employee of this commonwealth whose compensation is wholly paid by the city of Boston or by the county of Suffolk, and the working superintendent and his employees of the index commissioners of the county of Suffolk.

1922, 521, § 2,
par. (b),
amended.

Definition of
"employee"
as used in
Boston retire-
ment act.

SECTION 4. Upon written application to the state teachers' retirement board at any time prior to September first, nineteen hundred and twenty-three, by any teacher then employed by the city of Boston who has formerly been a member of the state teachers' retirement association, he shall again become a member of such association. Upon written application to the retirement board of the Boston retirement system, established by chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, and written notification to the state teachers' retirement board at any time prior to said September first by any teacher then employed by the city of Boston who is a member of the state teachers' retirement association, he shall cease to be a member of such association and shall become a member of said Boston retirement system.

Certain Boston
school teachers,
membership in
state teachers'
retirement
association.

Membership in
Boston retire-
ment system.

SECTION 5. Any teacher employed by the city of Boston on February first, nineteen hundred and twenty-three, in a day school conducted under sections one to twenty-four, inclusive, of chapter seventy-four of the General Laws, who thereafter becomes a member of said Boston retirement system, shall be considered, for the purposes of said chapter five hundred and twenty-one, to have been on said date an employee as defined by section two (b) of said chapter five hundred and twenty-one.

Certain Boston
school teachers
becoming
members of
Boston retire-
ment system
to be considered
to have been
employees as
defined, etc.

SECTION 6. This act shall take effect upon its passage.

Approved May 12, 1923.

AN ACT AUTHORIZING THE CITY OF CHICOPEE TO BORROW
MONEY FOR SCHOOL PURPOSES.

Chap. 382

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing or otherwise acquiring land for a school building and for the original construction of such building, including original equipment and furnishing of the same, the city of Chicopee may, from time to time, borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Chicopee School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under

City of
Chicopee may
borrow money
for school
purposes.

Chicopee
School Loan,
Act of 1923.

Population of County.	<i>Junior Judges.</i>	Salary.	<i>Junior judges.</i>
400,000 to 420,000	.	\$1,500	
420,000 to 440,000	.	5,000	
440,000 to 460,000	.	5,100	
460,000 to 480,000	.	5,200	
480,000 to 500,000	.	5,300	
500,000 to 520,000	.	5,400	
520,000 to 540,000	.	5,500	
540,000 to 560,000	.	5,600	
560,000 to 580,000	.	5,700	
580,000 to 600,000	.	5,800	
600,000 to 620,000	.	5,900	
620,000 to 640,000	.	6,000	
640,000 to 660,000	.	6,100	
660,000 to 680,000	.	6,200	
680,000 to 720,000	.	6,300	
720,000 to 750,000	.	6,400	
750,000 to 800,000	.	6,500	
\$100 additional for each 50,000 of population over 750,000.			

SECTION 2. Section thirty-seven of said chapter two hundred and seventeen, as amended by chapter three hundred and sixty-four of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the third and fourth lines, the words "two thousand" and inserting in place thereof the words:—twenty-five hundred,—and by striking out, in the fourth line, the words "fifteen hundred" and inserting in place thereof the words:—two thousand,—so as to read as follows:—*Section 37.* In Dukes and Nantucket counties the salaries of the judges of probate and the registers shall be as follows: judges, twenty-five hundred dollars; registers, two thousand dollars.

G. L. 217, § 37, etc., amended.

SECTION 3. The state comptroller shall in the current year adjust, in accordance with the provisions of this act, the salaries of the judges, registers and assistant registers of probate and insolvency of all counties having a population under one hundred thousand affected by said provisions, on the basis of the last national census, and the salaries so adjusted shall be allowed from January first, nineteen hundred and twenty-three.

Salaries of judges and registers of probate, etc., in Dukes and Nantucket counties.
State comptroller to adjust salaries of certain judges, registers and assistant registers of probate and insolvency.

Approved May 12, 1923.

AN ACT PROVIDING FOR THE REIMBURSEMENT OF JUDGES OF PROBATE FOR TRAVELING EXPENSES INCURRED WHILE RENDERING SERVICE OUTSIDE OF THEIR OWN COUNTIES.

Chap. 384

Be it enacted, etc., as follows:

Section forty of chapter two hundred and seventeen of the General Laws is hereby amended by adding at the end thereof the words:—, and shall be reimbursed by the commonwealth for his traveling expenses necessarily incurred in the performance of such duties,—so as to read as follows:—*Section 40.* A judge performing any duty under section eight shall receive from the commonwealth, in addition to the amount otherwise allowed him by law, fifteen dollars for each day that he performs

G. L. 217, § 40, amended.

Judges of probate rendering service out of county, compensation and

reimbursement for expenses. such duties, and shall be reimbursed by the commonwealth for his traveling expenses necessarily incurred in the performance of such duties.

Approved May 12, 1923.

Chap. 385 AN ACT ESTABLISHING THE SALARY OF THE COURT OFFICER OF THE LAND COURT.

Be it enacted, etc., as follows:

G. L. 185, § 14, etc., amended.

Land court judge and associate judge, salary, etc.

Proviso.

Recorder, salary.
Examiners of title, assistants, etc., salaries, etc.
Court officer in Suffolk, salary.
Salaries and expenses, by whom paid.

Payment to counties of certain fees.

Chapter one hundred and eighty-five of the General Laws, as amended in section fourteen by section thirty-two of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section fourteen and inserting in place thereof the following:—

Section 14. The judge and associate judge of the land court shall each receive a salary of ten thousand dollars, and each shall annually receive, upon the certificate of the judge, the amount of the expenses incurred by him in the discharge of his duties, to be paid by the commonwealth; provided, that any judge or associate judge appointed before June fourth, nineteen hundred and twenty, who has not accepted the increase in salary provided by chapter six hundred and twenty-seven of the acts of nineteen hundred and twenty, shall receive annually two thousand dollars less than the salary above provided for.

The recorder shall receive a salary of sixty-five hundred dollars. The compensation and salaries of examiners of title and all assistants and messengers shall be fixed by the governor and council. The salary of the officer in attendance upon the court in Suffolk county shall be twenty-three hundred dollars, in full for all services performed by him. All salaries and expenses of the court shall be paid by the commonwealth, except the salaries of the assistant recorders and the expenses incurred by them under this chapter, which shall be paid by the respective counties. All fees collected by the assistant recorders, except those received upon the filing of petitions, which shall be transmitted with the petitions to the recorder, shall be paid to their respective counties.

Approved May 12, 1923.

Chap. 386 AN ACT EXCLUDING CERTAIN ITEMS IN COMPUTING THE INCOME OF CERTAIN INCAPACITATED VETERANS FOR PURPOSES OF RETIREMENT.

Be it enacted, etc., as follows:

G. L. 32, § 57, amended.

Retirement of certain veterans in public service.

Section fifty-seven of chapter thirty-two of the General Laws is hereby amended by inserting after the word "sources" in the eighth line the following:—, exclusive of such retirement allowance and of any sum received from the government of the United States as a pension for war service,—so as to read as follows:— *Section 57.* A veteran who has been in the service of the commonwealth, or of any county, city, town or district thereof, for a total period of ten years, may, upon petition to the retiring authority, be retired, in the discretion of said authority, from active service, at one half the regular rate of compensation paid to him at the time of retirement, and payable

from the same source, if he is found by said authority to have become incapacitated for active service; provided, that he has a total income, from all sources, exclusive of such retirement allowance and of any sum received from the government of the United States as a pension for war service, not exceeding five hundred dollars.

Proviso.
Exclusion of certain items in computing income.

Approved May 12, 1923.

AN ACT TO AUTHORIZE THE DIVISION OF HIGHWAYS OF THE DEPARTMENT OF PUBLIC WORKS TO MAKE CERTAIN CONTRACTS IN ANTICIPATION OF AN APPROPRIATION. Chap.387

Be it enacted, etc., as follows:

Section twenty-seven of chapter twenty-nine of the General Laws is hereby amended by adding at the end thereof the following: —, except that prior to the passage of the general appropriation act the division of highways of the department of public works, in anticipation of appropriations therefor, may in any fiscal year with the approval of the governor and council make contracts for the reconstruction of existing state highways binding the commonwealth to an amount not in excess of twenty-five per cent of the amount appropriated during the preceding fiscal year for the same purposes, such contracts to provide for the completion of the work thereunder within the fiscal year in which they are made, — so as to read as follows: —

G. L. 29, § 27, amended.

Section 27. No public officer or board shall incur a new or unusual expense, make a permanent contract, increase a salary or employ a new clerk, assistant or other subordinate unless a sufficient appropriation to cover the expense thereof has been made by the general court, except that prior to the passage of the general appropriation act the division of highways of the department of public works, in anticipation of appropriations therefor, may in any fiscal year with the approval of the governor and council make contracts for the reconstruction of existing state highways binding the commonwealth to an amount not in excess of twenty-five per cent of the amount appropriated during the preceding fiscal year for the same purposes, such contracts to provide for the completion of the work thereunder within the fiscal year in which they are made.

State officers, etc., not to incur new expenses, etc., without appropriation, etc.

Exception as to certain contracts by division of highways.

Approved May 12, 1923.

AN ACT RELATIVE TO APPROPRIATION, ADVISORY OR FINANCE COMMITTEES IN TOWNS. Chap.388

Be it enacted, etc., as follows:

Chapter thirty-nine of the General Laws is hereby amended by striking out section sixteen and inserting in place thereof the following: — *Section 16.* Every town whose valuation for the purpose of apportioning the state tax exceeds one million dollars shall, and any other town may, by by-law provide for the apportionment and duties of appropriation, advisory or finance committees, who shall consider any or all municipal questions for the purpose of making reports or recommendations to the town;

G. L. 39, § 16, amended.

Appropriation, advisory or finance committees in towns.

and such by-laws may provide that committees so appointed may continue in office for terms not exceeding three years from the date of appointment. *Approved May 12, 1923.*

Chap. 389 AN ACT AUTHORIZING THE PLYMOUTH COUNTY TRUST COMPANY TO HOLD ADDITIONAL REAL ESTATE IN THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

Plymouth County Trust company may hold additional real estate in city of Brockton.

The Plymouth County Trust Company, incorporated under chapter three hundred and ninety-eight of the acts of eighteen hundred and ninety-two and having its usual place of business in the city of Brockton, may, subject otherwise to the provisions of section forty-one of chapter one hundred and seventy-two of the General Laws, as amended by chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-two and to the approval of the commissioner of banks, hold real estate in said city suitable for and to be used in whole or in part for the transaction of its business to an amount, including the cost of alterations and additions in the nature of permanent fixtures, not exceeding, directly or indirectly, two hundred eight thousand two hundred and fifty dollars, in addition to the amount permitted by said section forty-one, amended as aforesaid, to be held by said trust company at the time this act takes effect.

Approved May 12, 1923.

Chap. 390 AN ACT RELATIVE TO PILOTS.

Be it enacted, etc., as follows:

G. L. 103, six new sections in place of sections 1 to 14.

Division of shore line of commonwealth into four pilot districts.

SECTION 1. Chapter one hundred and three of the General Laws is hereby amended by striking out sections one to fourteen, inclusive, and inserting in place thereof the six following sections: — *Section 1.* For the purposes of this chapter the shore line of the commonwealth shall be divided into four districts.

District one shall be the harbor of Boston and shall include all places or landings accessible to vessels from the sea within the limits of Egg Rock, now or formerly known as Nahant Rock or Nahant Head, on the north, and Point Allerton on the south.

District two shall include all landing places accessible to vessels from the sea situated between the New Hampshire state line on the north and Egg Rock on the south, including rivers, bays and sounds adjacent thereto.

District three shall include all landing places accessible to vessels from the sea situated between Point Allerton on the north and the Rhode Island state line on the west, with all such landing places on the Elizabeth Islands and in the counties of Nantucket and Dukes, including rivers, bays and sounds adjacent thereto, and the Cape Cod canal.

District four shall include all landing places on Mount Hope bay and the Taunton river situated within the commonwealth.

Section 2. In the year nineteen hundred and twenty-three the governor, with the advice and consent of the council, shall appoint two commissioners of pilots for district one, and one deputy

Commissioners and deputy commissioners of pilots, appointment, term, etc.

commissioner of pilots for each of the other three districts. Such commissioners and deputy commissioners shall hold office until November thirtieth, nineteen hundred and twenty-six. On or before December first, nineteen hundred and twenty-six, and on or before said date in every third year thereafter, the governor, with like advice and consent, shall appoint their successors for terms of three years. A deputy commissioner of pilots for any district shall be a resident of a town having a landing place accessible to vessels from the sea situated within that district. In this chapter, the word "commissioners" shall be held to mean, as to district one, the commissioners of pilots for said district and, as to each other district mentioned in section one, the deputy commissioner of pilots for such district. They shall have experience in maritime and nautical affairs. Appointments of commissioners for district one shall be made upon the recommendation of the trustees of the Boston Marine Society provided such recommendation is made. Appointments of commissioners for districts other than district one may be made upon the recommendation of said trustees. No commissioner for any district shall be such a trustee. *Section 3.* The commissioners, subject to the approval of the trustees of said society, shall formulate rules and regulations for pilotage and establish rates within their respective districts, which, for district one shall be the rates established in section thirty-one, and which for the other three districts shall not exceed the rates established by said section. The commissioners also, in accordance with such rules and regulations, shall grant commissions as pilots for their districts or for special locations therein, to such persons as they consider competent; provided that for district one such persons shall first be approved by said trustees. The commissioners may, upon satisfactory evidence of his misconduct, carelessness or neglect of duty, suspend any such pilot until the next meeting of said trustees and may thereafter continue such suspension until the close of the next stated meeting of said trustees, but no longer for the same offense. If said trustees decide at either of said meetings that the commission of such pilot ought to be revoked, the commissioners may revoke it at any time after said decision is rendered and before it is reversed. The commissioners shall cause the laws and regulations for pilotage within their district to be duly observed and executed, and shall receive, hear and determine complaints by and against pilots for said district. *Section 4.* The commissioners of district one shall appoint a secretary who shall keep an office and attend the same during the day to receive complaints by and against the pilots for said district, and who shall keep a fair record of his doings which shall be open at all times for examination. *Section 5.* Once in every three months each pilot shall render to the commissioners for his district an accurate account of all vessels piloted by him and of all money received for pilotage by him or by any person for him, and shall pay to the said commissioners four per cent of the amount thereof, and if he makes a false return of money received he shall pay to them not more than fifty dollars. The trustees of the Boston Marine Society

Residence of deputy commissioners.

Term "commissioners" defined.

Qualifications.

Recommendation by Boston Marine Society of appointments.

Proviso.

Rules and regulations for pilotage, establishment of fees, etc.

Commissioners to grant commissions as pilots.

Proviso.

Suspension of pilots.

Revocation of commission.

Observance of pilotage laws, etc.

Secretary to commissioners of district one, appointment, duties, etc.

Accounts of pilots.

Compensation and expense allowances of commissioners.

Pilots to give bonds.

G. L. 103, § 15, amended.

Discharge of surety on pilot's bond.

New bond by pilot.

G. L. 103, § 16, amended.

New bond by pilot.

G. L. 103, § 17, amended.

Lien of pilots for their fees.

G. L. 103, § 29, repealed.

Initial appointments of commissioners, etc.

Expiration of terms of office of commissioners of harbor of Boston and port wardens.

Commissions of pilots, as affected.

shall fix the compensation of the commissioners and their allowance for office rent, clerk hire and incidental expenses, which shall be paid out of the amounts so paid to the commissioners, and the surplus, if any, shall be paid to said society. *Section 6.* No person shall receive a commission or exercise the office of pilot until he has given to the state treasurer a bond with two sureties, approved by the commissioners, or a surety bond of a surety company authorized to transact business in the commonwealth, in the penal sum of one thousand dollars, conditioned on the faithful performance of the duties of his office and the payment of all damages accruing from his negligence, unskillfulness or unfaithfulness.

SECTION 2. Section fifteen of said chapter one hundred and three is hereby amended by striking out, in the second and third lines, the words "officers or persons authorized to approve the sureties upon said bond" and inserting in place thereof the word: — commissioners, — so as to read as follows: — *Section 15.* A surety upon the bond of a pilot desiring to be discharged from liability thereon shall give notice thereof to the commissioners, and shall also give written notice to such pilot, which may be served by a constable, and shall, with the return of the constable thereon, be filed with the state treasurer, and at the expiration of thirty days therefrom, the liability of such surety for the subsequent acts of said pilot shall cease. If a pilot so notified fails to furnish a new bond before the expiration of said thirty days, his commission shall be void.

SECTION 3. Said chapter one hundred and three is hereby further amended by striking out section sixteen and inserting in place thereof the following: — *Section 16.* A pilot, in case of the decease, insolvency or bankruptcy of a surety upon his bond, shall give notice thereof to the commissioners. In such a case, or whenever a pilot's bond appears to the commissioners to be insufficient, he shall give a new bond.

SECTION 4. Section seventeen of said chapter one hundred and three is hereby amended by striking out, in the fourth line, the words "of a pilot for the harbor of Boston" so as to read as follows: — *Section 17.* A pilot shall have a lien for his pilotage fees upon the hull and appurtenances of every vessel liable to him therefor under this chapter for sixty days after the completion of his services; but the lien shall not be enforced until approved by the commissioners.

SECTION 5. Section twenty-nine of said chapter one hundred and three is hereby repealed.

SECTION 6. The initial appointments of commissioners and deputy commissioners under this act shall be made within thirty days of its effective date. Upon the qualification of the commissioners first so appointed, the terms of office of the commissioners of pilots for the harbor of Boston shall expire. Upon the qualification of a deputy commissioner, first so appointed, the terms of office of all port wardens in his district shall expire. But nothing herein contained shall affect the commissions of pilots of any kind, except that after this act takes effect they may be removed for the causes specified and in the manner pro-

vided in section three of said chapter one hundred and three, as amended by this act. All rules and regulations in force at the time this act takes effect shall continue in force until changed in accordance therewith.

Approved May 14, 1923.

Rules and regulations to continue in force, etc.

AN ACT RELATIVE TO THE COLLECTION OF WATER RATES.

Chap. 391

Be it enacted, etc., as follows:

Chapter forty of the General Laws is hereby amended by inserting after section forty-two the following six sections:—

G. L. 40, new sections after § 42.

Section 42A. If the rates and charges due to a city or town which accepts this and the five following sections by vote of its city council or of the voters in town meeting for supplying water to any real estate at the request of the owner or tenant, including interest and costs thereon, as established by local regulations, ordinances or by-laws, are not paid within sixty days after their due date, the same shall be a lien upon such real estate in the manner hereinafter provided. This and the five following sections shall not take effect in a city or town accepting the same as aforesaid until the city or town clerk files in the proper registry of deeds a certificate that said sections have been so accepted. Each register of deeds shall record such certificate in a book to be kept for the purpose, which shall be placed in an accessible location in the registry.

Unpaid water rates to be lien upon real estate, etc., in certain cities and towns.

Certificate of acceptance of statute to be filed in registry of deeds, etc.

Section 42B. Such lien shall take effect upon the filing for record in the registry of deeds for the county where the real estate lies of a statement by the board or officer in charge of the water department that the rates and charges for water supplied to the real estate therein described, including interest and costs, to an amount therein specified, have remained unpaid for sixty days after the due date, and said lien shall continue for one year from the first day of October next following. Such statement shall contain the name of the owner of record of such real estate and a description thereof sufficiently accurate for identification. The register of deeds shall receive and record or, in case of registered land, file and register, said statement.

Lien, when to take effect.

Duration of lien, etc.

Section 42C. Within a reasonable time after filing such statement for record or registration, the board or officer in charge of the water department shall commit the unpaid account with his warrant to the collector of taxes of the city or town, and such collector shall forthwith send notice in accordance with section three of chapter sixty to the person designated in such warrant as the owner of record, and any demand for the payment of such account shall be made upon such person. The collector shall have the same powers and be subject to the same duties with respect to such unpaid accounts as in the case of the annual taxes upon real estate, and the provisions of law relative to the collection of such annual taxes, the sale of land for the non-payment thereof and the redemption of land so sold shall apply to unpaid accounts charged upon real estate under sections forty-two A to forty-two F, inclusive.

Commitment of unpaid accounts to collectors of taxes, etc.

Powers and duties of collectors.

Certain provisions of tax laws to apply.

Section 42D. Unpaid accounts under sections forty-two A to forty-two F, inclusive, shall bear interest at the rate of six per

Interest on unpaid accounts.

Addition of
unpaid
accounts to
annual tax
bill.

cent per annum from the time demand is made under the preceding section, or from such earlier time after their due date as the city or town may by ordinance or by-law provide. Any such account committed to the collector under said section and remaining unpaid shall be added by the collector to the annual tax bill next to be issued, and the total amount of such bill shall be subject to interest under the provisions of section fifty-seven of chapter fifty-nine.

Abatements.

Section 42E. An owner of real estate aggrieved by a charge imposed thereon under sections forty-two A to forty-two F, inclusive, in addition to such remedy as he may have under section ten of chapter one hundred and sixty-five, may apply for an abatement thereof by filing a petition with the board or officer having control of the water department within thirty days after demand under section forty-two C, and if such board or officer finds that such charge is more than is properly due, a reasonable abatement shall be made; and except as otherwise provided herein, the provisions of chapter fifty-nine relative to the abatement of taxes by assessors shall apply, so far as applicable, to abatements hereunder. If such petition is denied in whole or in part, the petitioner may appeal to the superior court for the county where the real estate lies upon the same terms and conditions as a person aggrieved by the refusal of the assessors of a city or town to abate a tax.

Appeal to
superior court.

Recovery from
tenants by real
estate owners
paying charges,
when.

Section 42F. An owner of real estate who, in order to prevent the imposition of a lien thereon or to discharge the same, has paid charges for water furnished to a tenant or other person who was bound to pay the same, may recover from such tenant or other person in an action of contract the amount of the charges so paid with all incidental costs and expenses.

Approved May 15, 1923.

Chap. 392 AN ACT AUTHORIZING JUDGES OF PROBATE TO APPOINT PERMANENT COURT STENOGRAPHERS.

Be it enacted, etc., as follows:

G. L. 215, § 18,
amended.

Judges of
probate may
appoint court
stenographers.

Chapter two hundred and fifteen of the General Laws is hereby amended by striking out section eighteen and inserting in place thereof the following:— *Section 18.* The judges of probate of any county may, subject to the approval of the county commissioners of such county, appoint and fix the compensation of a stenographer for the probate court of such county. The compensation and expenses of such stenographer shall be paid by the county. At the trial of any issue of fact in a probate court the presiding judge may appoint a stenographer, who shall be sworn and shall attend the trial, or such part thereof as the judge may direct, and perform like duties and receive the same compensation therefor as a stenographer appointed by the superior court who is not on salary; and the sums so payable for his attendance at court and for any transcript of his notes or part thereof furnished to the judge by his direction shall be paid by the county upon the certificate of the judge.

Approved May 15, 1923.

AN ACT REVIVING THE BEACON FALLS RUBBER SHOE COMPANY
AND DISSOLVING THE BEACON FALLS RUBBER SHOE COMPANY
OF BOSTON. *Chap. 393*

Whereas, The deferred operation of this act would cause inconvenience and expense in the administration of the tax laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. The Beacon Falls Rubber Shoe Company, a corporation dissolved by chapter two hundred and three of the acts of nineteen hundred and twenty-three, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed; and all acts and proceedings of the stockholders, directors and officers of said corporation acting as such which would be legal and valid but for the passage of said chapter are hereby ratified and confirmed.

The Beacon
Falls Rubber
Shoe Company
revived, etc.

SECTION 2. Subject to the provisions of sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws and of sections two to four, inclusive, of said chapter two hundred and three, The Beacon Falls Rubber Shoe Company of Boston is hereby dissolved as of March thirty-first in the current year.

The Beacon
Falls Rubber
Shoe Company
of Boston
dissolved, etc.

Approved May 16, 1923.

AN ACT AUTHORIZING THE ACUSHNET FIRE AND WATER DISTRICT TO SUPPLY WATER TO THE FAIRHAVEN WATER COMPANY. *Chap. 394*

Be it enacted, etc., as follows:

SECTION 1. The Acushnet Fire and Water District may furnish and sell by meter water to the Fairhaven Water Company for the use of the people of the town of Fairhaven at a fixed and determined point as near as may be to the boundary line between said district and said town at a rate to be agreed upon by said district and said company, but which shall not be less than that prevailing in said district.

Acushnet Fire
and Water
District may
supply water
to Fairhaven
Water Com-
pany.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1923.

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO SUPPLY
WATER TO THE FAIRHAVEN WATER COMPANY. *Chap. 395*

Be it enacted, etc., as follows:

SECTION 1. The city of New Bedford may furnish and sell by meter water to the Fairhaven Water Company for the use of the people of the town of Fairhaven at a fixed and determined point as near as may be to the boundary line between said city and said town at a rate to be agreed upon by said city and said company, but which shall not be less than that prevailing in said city.

City of New
Bedford may
supply water
to Fairhaven
Water Com-
pany.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1923.

Chap. 396 AN ACT PROVIDING ALLOWANCES TO CERTAIN ORGANIZATIONS OF PERSONS WHO SERVED IN THE WORLD WAR FOR THE EXPENSES OF CERTAIN MILITARY FUNERALS OR BURIALS IN WHICH THEY PARTICIPATE.

Emergency
preamble.

Whereas, This act being of limited duration, its deferred taking effect would unduly restrict its operation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

1922, 373, § 1,
etc., amended.

SECTION 1. Section one of chapter three hundred and seventy-eight of the acts of nineteen hundred and twenty-two, as amended by section one of chapter two hundred and fifty-eight of the acts of the present year, is hereby further amended by striking out section one of said chapter three hundred and seventy-eight and inserting in place thereof the following:—

Allowances for
burial expenses
of certain
persons who
died overseas
in service of
United States
in World War.

Section 1. A post of The American Legion or of the Veterans of Foreign Wars of the United States, or any incorporated organization composed of men or women who served in the World War with the twenty-sixth division, commonly known as the Yankee division, or any other division or unit of the United States in overseas service, may be granted an allowance for expenses actually incurred in a military funeral or burial of a soldier, sailor or marine, or army or navy nurse, of the United States who died in overseas service between April sixth, nineteen hundred and seventeen, and October eighteenth, nineteen hundred and twenty-one, not exceeding fifty dollars in each case; provided, that if financial assistance has been received from any public or private source in conducting such funeral or burial, the sum so allowed shall be reduced by the amount of such assistance, and provided further that where two or more such posts or incorporated organizations jointly conduct or assist in conducting such a funeral or burial the said allowance shall be paid to both posts or incorporated organizations in such proportions as the commissioner of state aid and pensions approves.

Provisos.

1922, 378, § 2,
etc., amended.

SECTION 2. Section two of said chapter three hundred and seventy-eight, as amended by section two of said chapter two hundred and fifty-eight, is hereby further amended by striking out section two of said chapter three hundred and seventy-eight and inserting in place thereof the following:— *Section 2.* Application for such allowance may be made, not later than October first, nineteen hundred and twenty-three, on special forms prepared by said commissioner, to the officials charged with the disbursement of state and military aid for soldiers and sailors and their dependents in the city or town where the post or incorporated organization entitled thereto is located. Said officials shall forward the application to the commissioner, who, after examination, shall allow and endorse thereon such amount as he may find to be due such post or posts or such incorporated organization applying under this act. The amount so allowed

Application for
allowances,
when and to
whom to be
made, etc.

shall be paid by the treasurer of the city or town, and the commonwealth shall reimburse such city or town therefor when reimbursing it for payments of state and military aid.

Payment by cities and towns and state reimbursement therefor.

Approved May 16, 1923.

AN ACT RELATIVE TO DOCKETS AND RECORDS IN DEFECTIVE DELINQUENT PROCEEDINGS. *Chap.397*

Be it enacted, etc., as follows:

Section one hundred and twenty-one of chapter one hundred and twenty-three of the General Laws is hereby amended by striking out all after the word "kept" in the third line and inserting in place thereof the following:— by the clerk of the court in which the justice making the commitment under said sections sits. The clerk shall receive and keep on file the original application, the certificate of physicians and the copy of the order of commitment attested by and with the return thereon of the officer or other person serving the same, — so as to read as follows:— *Section 121.* A docket for, and a record of all proceedings under sections one hundred and thirteen to one hundred and twenty-four, inclusive, and all papers in connection therewith, shall be kept by the clerk of the court in which the justice making the commitment under said sections sits. The clerk shall receive and keep on file the original application, the certificate of physicians and the copy of the order of commitment attested by and with the return thereon of the officer or other person serving the same. *Approved May 16, 1923.*

G. L. 123, § 121, amended.

Dockets and records in defective delinquent proceedings.

AN ACT RELATIVE TO THE SALARIES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS. *Chap.398*

Be it enacted, etc., as follows:

SECTION 1. Chapter twelve of the General Laws is hereby amended by striking out section fifteen and inserting in place thereof the following:— *Section 15.* District attorneys shall receive from the commonwealth salaries as follows:

G. L. 12, § 15, amended.

Salaries of district attorneys.

For the Suffolk district, nine thousand dollars.

For the northern district, seven thousand dollars.

For the eastern district, six thousand dollars.

For the middle district, six thousand dollars.

For the southeastern district, six thousand dollars.

For the southern district, five thousand dollars.

For the western district, four thousand dollars.

For the northwestern district, three thousand dollars.

SECTION 2. Said chapter twelve, as amended in section sixteen by section two of chapter three hundred and four of the acts of nineteen hundred and twenty-two and by section two of chapter two hundred and eleven of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section sixteen and inserting in place thereof the following:— *Section 16.* Assistant, second assistant and third assistant district attorneys and deputy district attorneys shall receive from the commonwealth salaries as follows:

G. L. 12, § 16, etc., amended.

Salaries of assistant, etc., district attorneys.

Salaries of
assistant, etc.,
district
attorneys.

For the Suffolk district, four assistants, five thousand dollars, and two assistants, four thousand dollars.

For the northern district, assistant, thirty-six hundred dollars; second assistants, three thousand dollars.

For the eastern district, assistant, thirty-six hundred dollars; second assistant, three thousand dollars.

For the middle district, assistant, thirty-six hundred dollars; second assistant, three thousand dollars; third assistant, eighteen hundred dollars.

For the southeastern district, assistant, thirty-six hundred dollars; second assistant, three thousand dollars; deputy district attorney, such compensation as shall be fixed by the district attorney, with the approval of the chief justice of the superior court.

For the southern district, assistant, three thousand dollars; second assistant, twenty-four hundred dollars.

For the western district, assistant, twenty-four hundred dollars; second assistant, two thousand dollars.

G. L. 12, § 17,
etc., repealed.

SECTION 3. Section seventeen of said chapter twelve, as amended by section three of chapter three hundred and four and section one of chapter three hundred and thirty-three, both of the acts of nineteen hundred and twenty-two, and by section seventeen of chapter three hundred and sixty-two of the acts of the current year, is hereby repealed. *Approved May 16, 1923.*

Chap. 399 AN ACT ESTABLISHING THE DIVISION OF METROPOLITAN PLANNING WITHIN THE METROPOLITAN DISTRICT COMMISSION.

Emergency
preamble.

Whereas, The deferred operation of this act would unnecessarily postpone the inception of certain improvements of great advantage to the metropolitan district and the commonwealth, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 28, new
sections at end
thereof.

Establishment
of division of
metropolitan
planning to be
in charge of
seven commis-
sioners, etc.

SECTION 1. Chapter twenty-eight of the General Laws is hereby amended by adding at the end thereof the two following new sections: — *Section 5.* There shall be organized within the metropolitan district commission a division of metropolitan planning. Said division shall be in charge of seven commissioners, three of whom shall be appointed by the governor, with the advice and consent of the council, for terms of five years from the date of their respective appointments and without compensation; an associate commissioner of public works, to be designated from time to time by the commissioner of public works; a commissioner of the department of public utilities, to be designated from time to time by the chairman of said department; an associate commissioner of the metropolitan district commission, to be designated from time to time by the commissioner of said commission; and an officer of the transit department of the city of Boston, to be designated from time to time by the chairman thereof. The chairman of said division

shall be designated by the governor. *Section 6.* Said division shall investigate and make recommendations as to transportation service and facilities within the district consisting of all the cities and towns in the metropolitan sewer districts, and the metropolitan parks district, and the co-ordination thereof upon highways, roads, bridges, waterways, railroads, street railways and other arteries of traffic; the manner of effecting such co-relationship and what improvements and new facilities should be provided for a comprehensive and co-ordinated development of transportation for said district. It shall confer with the local planning agencies in the district with regard to such projects as are not of an exclusively local character. It shall recommend the method of carrying into effect and financing the projects recommended by it, and shall make such maps, plans and estimates of cost as may be needed for its investigations and reports, and may employ such assistants therefor as it deems necessary. The various other departments, boards and divisions of the commonwealth, the public trustees, respectively, of the Boston Elevated Railway Company and of the Eastern Massachusetts Street Railway Company, the street commissioners, planning boards and other officials of cities and towns comprising said district, and the various public utilities operating therein may consult with it and furnish all facts and information requested within their knowledge or control.

Powers and duties of division.

State departments, boards, etc., may consult with division, etc.

The division shall annually submit to the budget commissioner the estimates required by sections three and four of chapter twenty-nine, and shall prepare and file an annual report as required by sections thirty-two and thirty-three of chapter thirty.

Estimates to budget commissioner.
Annual report.

SECTION 2. The said division may, for the current fiscal year, expend for clerical, engineering, expert and other assistance and for incidental expenses such sums, not exceeding fifteen thousand dollars, as may be appropriated by the general court, the same to be assessed upon the metropolitan parks district.

Expenditures by division authorized.

SECTION 3. Chapter four hundred and six of the acts of nineteen hundred and twenty-two is hereby amended by striking out from the beginning thereof down to and including the word "The" in the third line and inserting in place thereof the words:—The metropolitan district,— and also by inserting after the word "thirty-one" in the ninth line the words:— of the General Laws.

1922, 406, amended.
Appointment of Herbert W. West as superintendent of police by metropolitan district commission.

Approved May 16, 1923.

AN ACT ESTABLISHING THE SALARIES OF CERTAIN EMPLOYEES OF THE SERGEANT-AT-ARMS. *Chap. 400.*

Be it enacted, etc., as follows:

SECTION 1. Chapter three of the General Laws, as amended in section eighteen by section one of chapter three hundred and sixty-seven of the acts of nineteen hundred and twenty-one and by section one of chapter three hundred and sixty-six of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section eighteen and inserting in place

G. L. 3, § 18, etc., amended.

Certain employees of the sergeant-at-arms, salaries established.

thereof the following: — *Section 18.* There shall be a doorkeeper for each branch, each at a salary of twenty-three hundred dollars, and such assistant doorkeepers as it may direct, each at a salary of nineteen hundred dollars; a postmaster at a salary of twenty-one hundred dollars; an assistant postmaster; messengers, each at a salary of seventeen hundred dollars; pages whose compensation shall be six hundred and fifty dollars each for the regular annual session and a sum not exceeding three dollars for each day's service after said session; a clerk to take charge of the legislative document room at a salary of twenty-one hundred dollars, an assistant clerk of said room at a salary of sixteen hundred dollars, and such assistants therein as may be necessary, for whose fitness and good conduct the sergeant-at-arms shall be responsible.

When salary increases shall take effect.

SECTION 2. The increases in salaries provided for by this act shall not take effect until an appropriation has been made sufficient to cover the same and then as of June first in the current year.

(The foregoing was laid before the governor on the tenth day of May, 1923, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 401 AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY FOR THE PROPER OBSERVANCE OF MEMORIAL DAY AND OTHER PATRIOTIC HOLIDAYS UNDER THE AUSPICES OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES.

Emergency preamble.

Whereas, The deferred operation of this act would in part defeat its purpose, in that it would not be operative on Memorial Day next ensuing, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 40, § 5, cl. 12, etc., amended.

Section five of chapter forty of the General Laws, as amended by chapter three hundred and seventy-one and by section six of chapter four hundred and eighty-six, both of the acts of nineteen hundred and twenty-one, and by chapter two hundred and two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out clause (12) and inserting in place thereof the following: — (12) For erecting headstones or other monuments at the graves of persons who served in the war of the revolution, the war of eighteen hundred and twelve, the Seminole war, the Mexican war or the war of the rebellion or who served in the military or naval service of the United States in the Spanish American war or in the World war; for acquiring land by purchase or by eminent domain under chapter seventy-nine, purchasing, erecting, equipping or dedicating buildings, or constructing or dedicating other suitable memorials, for the purpose of properly commemorating the services and sacrifices of persons who served as aforesaid; for the decoration

Cities and towns may appropriate money for decoration of soldiers' graves and for observance of Memorial Day and other patriotic holidays, etc.

of the graves, monuments or other memorials of soldiers, sailors and marines who served in the army, navy or marine corps of the United States in time of war or insurrection and the proper observance of Memorial Day and other patriotic holidays under the auspices of the local posts of the Grand Army of the Republic, United Spanish War Veterans, The American Legion and the Veterans of Foreign Wars of the United States; or for keeping in repair graves, monuments or other memorials erected to the memory of such persons or of its firemen who died from injuries received in the performance of their duties in the fire service or for decorating the graves of such firemen or for other memorial observances in their honor. Money appropriated in honor of such firemen may be paid over to, and expended for such purposes by, any veteran firemen's association or similar organization.

Approved May 17, 1923.

AN ACT RELATIVE TO TAX RETURNS.

Chap. 402

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section fifty-eight of chapter sixty-two of the General Laws is hereby amended by striking out, in the first and second lines, the words "or by the state auditor," and by striking out, in the sixth and seventh lines, the words "or by proper judicial order," so as to read as follows:—*Section 58.* The disclosure by the commissioner, or by any deputy, assistant, clerk or assessor, or other employee of the commonwealth, or of any city or town therein, to any person but the taxpayer or his agent, of any information whatever contained in or set forth by any return filed under this chapter, other than the name and address of the person filing it, except in proceedings to collect the tax or for the purpose of criminal prosecution under this chapter, shall be punishable by a fine of not more than one thousand dollars, or by imprisonment for not more than six months, or both, and by disqualification from holding office for such period, not exceeding three years, as the court determines.

G. L. 62, § 58, amended.

Penalty for disclosure of information in income tax returns, except, etc.

SECTION 2. Section fifty-three of chapter sixty-three of the General Laws, as amended by chapter forty-nine of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out the last paragraph.

G. L. 63, § 53, etc., amended. Inspection of corporate franchise tax returns.

SECTION 3. Said chapter sixty-three is hereby further amended by inserting after section seventy-one the following new section:—*Section 71A.* Returns required by this chapter shall, except in proceedings to collect the taxes or enforce the penalties provided herein, be open only to the inspection of the commissioner, his deputies, clerks and assistants, and such other officers of the commonwealth as may have occasion to inspect them for the purpose of assessing or collecting taxes.

G. L. 63, new section after § 71. Inspection of corporation tax returns restricted.

Approved May 17, 1923.

Chap.403 AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO RAISE AND APPROPRIATE MONEY FOR A SPECIAL CELEBRATION ON MEMORIAL DAY.

Be it enacted, etc., as follows:

Town of Falmouth may raise and appropriate money for special celebration on Memorial Day.

SECTION 1. For the purpose of holding a special public celebration on Memorial Day in the current year in the town of Falmouth on the occasion of publicly awarding the distinguished service cross to Cornelius P. Collins, a veteran of the World War, said town is hereby authorized to raise and appropriate, or to use from any available funds, a sum of money not exceeding twenty-five hundred dollars; provided it is so voted at a town meeting held therefor.

SECTION 2. This act shall take effect upon its passage.

Approved May 17, 1923.

Chap.404 AN ACT AUTHORIZING THE CITY OF MEDFORD TO BORROW MONEY FOR THE CONSTRUCTION AND PAVEMENT OF STREETS.

Be it enacted, etc., as follows:

City of Medford may borrow money for construction and pavement of streets.

SECTION 1. For the purpose of street construction and pavement, the city of Medford may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Medford Street Improvement Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Medford Street Improvement Loan, Act of 1923.

SECTION 2. This act shall take effect upon its passage.

Approved May 17, 1923.

Chap.405 AN ACT TO PROVIDE FOR THE ACQUISITION BY THE CITY OF BOSTON OF STREET RAILWAY LINES IN THE HYDE PARK DISTRICT AND THE OPERATION THEREOF BY THE BOSTON ELEVATED RAILWAY COMPANY.

Be it enacted, etc., as follows:

Definitions.

SECTION 1. When used in this act —

“City” shall mean the city of Boston.

“District” shall mean that part of the city formerly within the boundaries of the town of Hyde Park, together with that part of River street which extends from the old Hyde Park-Boston line to Mattapan square.

“Company” shall mean the Boston Elevated Railway Company.

“Premises” shall mean the property leased to the company by the city under the provisions of this act.

“Transit department” shall mean the transit department of the city of Boston, or such other board or officers as may succeed to its rights and duties.

SECTION 2. The city, acting through its transit department, and without other authority than that contained in this act, may at any time before January first, nineteen hundred and twenty-four, purchase or take by eminent domain the following property within the district: — all street railway lines, tracks and locations, including ties, rails, special work, joints, tie plates, fastenings, ballast, paving and brow stones, also all trestles, bridges and other structures for the support of said tracks; all pole and line construction, including all poles, trolley wires, span wires, feeders, telephone and telegraph systems appurtenant to said lines, signals and appurtenances, underground conduits, power houses, and equipment physically attached thereto and forming part thereof, and car barns and equipment attached thereto and forming part thereof.

City of Boston may acquire street railway property in Hyde Park district.

SECTION 3. The taking or takings by eminent domain authorized herein shall be made and damages therefor determined and paid under and in accordance with chapter seventy-nine of the General Laws, except that petitions for the assessment of damages may be filed in the superior court for any of the following counties: — Suffolk, Norfolk or Middlesex. The right to damages as against the city for such taking or takings of any property owned by the Eastern Massachusetts Street Railway Company shall vest in said company. The city, acting by its transit department, with the approval of the mayor, may make payment for damages for all property taken under authority of this act out of the proceeds of bonds issued by the city under the provisions of section seven, but if the amount of the proceeds available from such bonds is insufficient to pay the full amount of such damages, the city shall nevertheless be liable for such damages, irrespective of any legal limit of indebtedness previously provided by law.

Eminent domain takings and payment of damages therefor.

SECTION 4. Before acquiring any property under authority of this act, the transit department in the name and on behalf of the city, shall execute a contract in writing with the company upon such terms and conditions, not inconsistent with the provisions of this act, as the transit department and the board of trustees of the company may agree upon, for the use by the company of the property proposed to be acquired, or so much thereof as shall appear to the board of trustees of the company to be necessary or convenient for the operation of street railway lines in the district, for a term beginning with the use of the premises by the company and extending to the termination of the period of public control of the company under the provisions of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen and acts in amendment thereof. The company shall pay for the use of the premises a rental at the rate of four and one half per cent per annum upon the fair and reasonable value of the premises for street railway purposes as agreed upon by the transit department and the company, or, in case of difference, as determined by the department of public utilities. In case the company shall be kept out of possession or deprived of the use of the premises, or any part thereof, by any act on the part of the city or of any person or corporation claiming

Contract with Boston Elevated Railway Company for operation of street railway lines in Hyde Park district.

Rental by company for use of property, etc.

an adverse interest in said premises, the rental or a just and reasonable part thereof as agreed upon by the transit department and the company, or, in case of difference, as determined by the department of public utilities, shall be suspended or abated during the time the company is so kept out of possession or deprived of the use of the premises, or any part thereof. In case the city shall, during the term of such contract, reimburse the company for capital expenditures upon the premises as provided in section five, the amount of such reimbursement shall be added to the fair and reasonable value of the premises for street railway purposes for the purpose of determining the rental thereafter payable by the company for the use of the premises.

Return of property at termination of use.

Alterations, improvements, etc., by company.

Proviso.

Payments to company by city for alterations, etc.

SECTION 5. Said contract for use shall require the return of the premises to the city at the termination of said use in as good order and condition as at the beginning, and shall provide that the company may from time to time make such alterations, replacements, additions and improvements in and to the premises as the company shall deem to be necessary or advisable to put the premises in good operating condition; provided, however, that no such alterations, replacements, additions or improvements shall be made, except in case of emergency, without the written consent of the transit department or a certificate from the department of public utilities that the proposed work is reasonably necessary or advisable to put the premises in good operating condition. In case of any such alteration, replacement, addition or improvement, the department of public utilities shall on application of the company determine what proportion thereof, if any, would, under the standard system of accounting prescribed for street railways by the interstate commerce commission and adopted by the department of public utilities, constitute a proper charge against capital, and the city shall thereupon pay the same to the company. If the city shall not make said payments when due, the company shall be entitled to deduct the amount thereof, with interest, from any rental subsequently payable to the city for the use of the premises.

Valuation of property at beginning and at termination of use thereof.

Company to pay city in case of decreased valuation.

City to pay company in case of increased valuation.

SECTION 6. There shall be made as of the date when the use of the premises by the company begins and as of the date when the use terminates, a full and complete inventory, description and valuation of the premises by a board of three persons, one appointed by the transit department, one by the company, and the third chosen by the two so appointed or, in case of their failure to agree upon a third person, by the governor. In case the valuation so made as of the date when the use begins plus all capital improvements and betterments for which the company has been reimbursed by the city shall exceed the valuation at the termination of the use, the company shall pay over to the city an amount equal to such excess, and in case such valuation as of the date when the use begins plus all capital improvements and betterments for which the company has been reimbursed by the city, is less than the amount of the valuation at the

termination of the use, the city shall pay over to the company an amount equal to such deficit.

SECTION 7. The treasurer of the city shall from time to time, on request of the transit department, and without further authorization than herein contained, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding the cost of carrying out the provisions of this act. Such bonds shall bear on their face the words, Hyde Park Street Railway Loan, shall be for such terms not exceeding forty-five years, as the mayor and treasurer of the city may determine; and shall bear interest payable semi-annually, at such rate as the treasurer shall determine. The proceeds of such bonds, including any premium realized from the sale thereof, shall be used to meet all damages, cost and expenses incurred by the transit department or by the city in carrying out the provisions of this act. The board of commissioners of sinking funds of the city shall establish a sinking fund for the payment of the bonds issued under this act. The proceeds from any sale or sales of property taken, or acquired by purchase or otherwise, under authority of this act shall be used for the same purpose as the rental of said premises or shall be used for the payment of expenditures incurred for the acquisition of said property, as the transit department may determine. All rentals, tolls, percentages or other compensation received by the city under the provisions of this act shall annually be used by the treasurer of the city, first, to meet the requirements of any deficiency in the said sinking fund; second, to meet the interest on said bonds; and the surplus, if any, as a part of the general revenue of the city. The city shall have, hold and enjoy in its private or proprietary capacity, for its own property, the property acquired by it under the provisions of this act, and all rents, tolls, income and profits from all contracts entered into by it for the use of said property or any part thereof, and the same shall never be taken by the commonwealth except on payment of just compensation.

City of Boston may issue bonds, etc.

Hyde Park Street Railway Loan.

Sinking fund.

Use of proceeds from sales of property, etc.

Use of rentals, tolls, etc.

Rights of city as to property acquired, etc.

Debts incurred by the city for the purposes of this act shall not be considered in determining the statutory limit of indebtedness of the city.

Debts by city not to affect its debt limit.

SECTION 8. In respect to the use and operation of the premises, the company shall have all the powers and privileges and be subject to all the duties, liabilities, restrictions and provisions set forth in general and special laws now or hereafter in force applicable to it. To provide for proper connections with the premises, the company may make such alterations or extensions of its tracks and locations as the transit department may approve.

Powers, duties, liabilities, etc., of company as to use, etc., of the property.

SECTION 9. The contract for the use of the premises executed in accordance with the authority conferred by this act shall not in any respect impair any right which the commonwealth or the city of Boston or any other licensee of the commonwealth may at any time have to take the railway properties of the Boston

Contract for use of the property not to impair certain rights as to taking properties of company, etc.

Elevated Railway Company. In the event of such taking, the compensation to be paid to the company shall not be enhanced by reason of such contract, nor shall it be diminished because of the fact that without it properties might be cut off.

When to take effect.

SECTION 10. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, approved by the mayor, and the filing of a certificate evidencing such acceptance with the secretary of the commonwealth. For the purpose of such acceptance, this act shall take effect upon its passage.

Approved May 17, 1923.

Chap. 406 AN ACT RELATIVE TO THE PAYMENT OF EXPENSES OF EXAMINATIONS OF TRUST COMPANIES.

Be it enacted, etc., as follows:

G. L. 167, § 2, etc., amended.

SECTION 1. Section two of chapter one hundred and sixty-seven of the General Laws, as amended by section one of chapter three hundred and sixty-three of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the first sentence the following new sentence: — The expenses of the annual examination of a trust company shall be borne by the company, and shall be limited to the actual cost of such examination and such additional sum for the overhead expenses of the division of banks and loan agencies as the commissioner shall determine to be attributable to such examination, — so as to read as follows: —

Examination of banks.

Section 2. The commissioner, either personally or by his examiners, or such others of his assistants as he may designate, shall, at least once in each year, make an examination of the affairs of each bank and ascertain its condition, its ability to fulfil its obligations and also whether it has complied with the law; and he may also, whenever he considers it expedient, make, at the expense of the bank, such further examinations as he deems advisable.

Payment of expenses of examinations of trust companies.

The expenses of the annual examination of a trust company shall be borne by the company, and shall be limited to the actual cost of such examination and such additional sum for the overhead expenses of the division of banks and loan agencies as the commissioner shall determine to be attributable to such examination. The commissioner or the person making the examination shall, at the time of any such examination, have free access to the vaults, investments, cash, books and papers. The commissioner shall preserve a full record of each such examination of a bank, including a statement of its condition, if ascertained. Such records, and information contained in the reports of such banks, other than information required by law to be published or to be open to the inspection of the public, shall be open only to the inspection of the commissioner, his examiners and assistants, and such other officers of the commonwealth as may have occasion and authority to inspect them in the performance of their official duties. The commissioner may furnish to the national bank examiners, the federal government, any organization created by federal legislation, or the banking departments of other states, such information, reports and statements relating to the institutions under his supervision as he deems best.

Access to vaults, books, etc.

Record of examination.

Inspection of records, etc., restricted.

Information to federal government, etc.

SECTION 2. Sections twenty, twenty-one, twenty-two, twenty-eight, twenty-nine and thirty of chapter one hundred and seventy-two of the General Laws are hereby repealed. G. L. 172, §§ 20-22, 28-30, repealed.

SECTION 3. This act shall take effect January first, nineteen hundred and twenty-four. Time of taking effect.
Approved May 17, 1923.

AN ACT RELATIVE TO THE ATTENDANCE OF COURT OFFICERS UPON THE SUPREME JUDICIAL COURT AND THE SUPERIOR COURT IN SUFFOLK COUNTY AND TO THE PENSION RIGHTS OF SUCH OFFICERS.

Chap. 407

Be it enacted, etc., as follows:

SECTION 1. Section sixty-nine of chapter two hundred and twenty-one of the General Laws is hereby amended by inserting after the word "sheriffs" in the first line the words: — or court officers, — and by inserting after the word "sheriffs" in the eighth line the words: — , court officers, — so as to read as follows: — *Section 69.* Not more than four deputy sheriffs or court officers shall receive compensation for attendance upon any civil sitting of the supreme judicial court or a sitting of the superior court for civil business or for both civil and criminal business unless in the supreme judicial court the presiding justice and in the superior court the presiding justice or the district attorney in writing requires the sheriff to procure the attendance for the whole or a portion of such sitting of an additional number. Not more than six deputy sheriffs, court officers or constables shall receive compensation for attendance upon any criminal sitting of the superior court for criminal business unless the district attorney in writing requires the sheriff to procure the attendance for the whole or a portion of such sitting of an additional number. G. L. 221, § 69, amended.

Number of deputy sheriffs, court officers, etc., for attendance upon supreme judicial and superior courts.

SECTION 2. Section seventy-two of said chapter two hundred and twenty-one is hereby amended by adding at the end thereof the following: — In Suffolk county officers in attendance upon the supreme judicial court or upon the superior court may be interchanged or transferred from either of said courts to the other court by the sheriff, with the approval, in each instance, of the chief justice of the court to which the transfer is proposed to be made, — so as to read as follows: — *Section 72.* Officers appointed as court officers to attend upon the sessions of the supreme judicial or superior court in any county, including chief deputies and the chief court officer in Worcester county designated under the preceding section, shall hold office during good behavior and until they are removed by the sheriff of the county for which they were appointed, for cause approved by the justices of the court for attendance upon which they were appointed. Court officers appointed to attend upon both of said courts may be removed for cause approved by the justices of either of said courts. In Suffolk county officers in attendance upon the supreme judicial court or upon the superior court may be interchanged or transferred from either of said courts to the other court by the sheriff, with the approval, in each instance, of the chief justice of the court to which the transfer is proposed to be made. G. L. 221, § 72, amended.

Court officers for attendance upon supreme judicial or superior courts, term of office, etc.

Interchange or transfer in Suffolk county.

G. L. 32, § 66,
amended.

Pensions for
court officers
of supreme judi-
cial or su-
perior courts.

SECTION 3. Section sixty-six of chapter thirty-two of the General Laws is hereby amended by striking out, in the seventh line, the word "therein" and inserting in place thereof the words:— in either or both of said courts,— and by striking out, in the ninth line, the word "court" and inserting in place thereof the word:— courts,— so as to read as follows:— *Section 66.* Any court officer of the supreme judicial or superior court who, in the judgment of the sheriff of his county, is disabled for useful service in either of said courts, and who is certified by a physician, designated by the sheriff, to be permanently incapacitated, either mentally or physically, by injuries sustained through no fault of his own, in the actual performance of his duty in said court, and any court officer of either of said courts who has performed faithful service in either or both of said courts for not less than twenty years, and who in the judgment of the sheriff of his county is incapacitated for further service in said courts, shall, if the sheriff so requests, with the approval of a majority of the justices of the court in which he serves, be retired, and shall annually receive a pension equal to one half of the compensation received by him at the time of his retirement.

Approved May 17, 1923.

Chap. 408 AN ACT ESTABLISHING AN UNPAID SPECIAL COMMISSION TO PROVIDE FOR THE PREPARATION OF A SUITABLE HISTORY OF MASSACHUSETTS' PART IN THE WORLD WAR.

Be it enacted, etc., as follows:

Special com-
mission to pro-
vide for his-
tory of Massa-
chusetts' part
in World War.

SECTION 1. The adjutant general, the secretary of the commonwealth and the state librarian are hereby appointed a special commission to have general supervision of the compiling, editing and writing of a fitting chronicle of Massachusetts' part in the World War.

May appoint
official his-
torian, etc.

SECTION 2. Said commission is authorized to appoint an official historian and to engage such clerical assistance as may be required for carrying out the purposes of this act.

Report to gov-
ernor and coun-
cil.

SECTION 3. Said commission shall submit a final report, together with the manuscript of such history, to the governor and council on or before January first, nineteen hundred and twenty-seven.

Expenditures
authorized.

SECTION 4. For the purpose of meeting the expenditures authorized by this act, the said commission may expend such sums, not exceeding fifteen thousand dollars in the aggregate, as the general court may from time to time appropriate.

Approved May 17, 1923.

Chap. 409 AN ACT TO PROVIDE FOR THE RECOGNITION OF THE HISTORIC IMPORTANCE OF THE CITY OF GLOUCESTER.

Be it enacted, etc., as follows:

City of
Gloucester may
erect a me-
morial em-
blematical of
fish industries.

The city of Gloucester, for the purpose of commemorating the three hundredth anniversary of its settlement and the foundation therein of the cod fishing industries, may erect a memorial

emblematical of such fish industries. Upon approval of the plans and the estimates of the cost of such memorial by the governor and council, there may be paid out of the treasury of the commonwealth to said city such sum, not exceeding ten thousand dollars, as may be appropriated therefor.

Payment by
state.

Approved May 17, 1923.

AN ACT PROVIDING RETIREMENT ALLOWANCES BASED ON ANNUITY AND PENSION CONTRIBUTIONS FOR EMPLOYEES OF THE CITY OF WORCESTER.

Chap. 410

Be it enacted, etc., as follows:

SECTION 1. This act shall be known as the Worcester retirement act, and its purpose is to improve the efficiency of the public service by the retirement of disabled or superannuated employees.

Worcester retirement act,
purpose, etc.

SECTION 2. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings:

Definitions.

(a) "Retirement system" shall mean the arrangement provided in this act for the retirement of and payment of retirement allowances to employees as defined in paragraph (b) of this section.

"Retirement
system."

(b) "Employee" shall mean any person elected or appointed by municipal authority, who is permanently and regularly employed in the direct service of the city of Worcester and whose principal employment is in such service, except teachers in the public schools as defined by section six of chapter thirty-two of the General Laws.

"Employee."

(c) "Prior service" shall mean service rendered as an employee prior to the date when the retirement system first becomes operative.

"Prior
service".

(d) "Member" shall mean any employee included in the retirement system as provided in section five.

"Member".

(e) "New entrant" shall mean any person becoming an employee on or after the date when the retirement system first becomes operative, and any person who becomes a member at or after the expiration of one year from said date.

"New
entrant".

(f) "Accumulated deductions" shall mean the sum of all the amounts deducted from the compensation of a member and standing to his credit in the annuity savings fund, together with regular interest thereon.

"Accumulated
deductions".

(g) "Annuity" shall mean the annual payments for life derived from the accumulated deductions of a member.

"Annuity".

(h) "Pension" shall mean the annual payments for life derived from contributions made by the city.

"Pension".

(i) "Retirement allowance" shall mean the sum of the annual annuity and pension payments.

"Regular
allowance".

(j) "Regular compensation" shall mean the compensation determined by the head of the department for the individual service of each employee in that department and the compensation, determined by duly constituted authority, for elective and appointive officers of the city.

"Regular
compensation".

"Regular interest".

(k) "Regular interest" shall mean interest at four per centum per annum compounded annually.

"Operative date".

(l) "Operative date" shall mean the date when the retirement system first becomes operative under section thirty.

Worcester Retirement System, when to be established, etc.

SECTION 3. The retirement system shall be established and become operative as provided in section thirty, and the system shall be known as the Worcester Retirement System.

Board of retirement, membership, terms of office, etc.

SECTION 4. (1) The management of the retirement system is hereby vested in the board of retirement, consisting of three members, one of whom shall be the city treasurer, ex officio, who shall be chairman; a second member who shall be a member of the retirement system elected for three years by the members within sixty days after the operative date of the retirement system; a third member shall be chosen by the other two members. In case of the failure of the latter to choose the third member within thirty days after the election of the second member, the mayor shall appoint the third member. The first person so chosen or appointed as third member shall serve for one year; otherwise and thereafter the term of office of the second and third members shall be four years. On a vacancy occurring in the office of second or third member for any cause or on the expiration of the term of office of any such member, a successor of the person whose place has become vacant or whose term has expired shall be chosen in the same manner as his predecessor.

Vacancies.

To serve without compensation.

(2) The members of the board of retirement shall serve without compensation; but they shall be reimbursed by the city for any expense or loss of salary or wages which they may incur through service on the board. All claims for reimbursement on this account shall be subject to the approval of the mayor and city council.

Reimbursement for certain expenses, etc.

Clerical assistance, etc.

The retirement board shall employ such actuarial, clerical and other assistants as may be necessary for the proper operation of the system established by this act. The funds to meet the cost of administering the retirement system established by this act shall be derived from appropriations of the city of Worcester within the tax limit. The retirement board shall, like other departments of the city, submit an estimate of such costs to the mayor not later than January first of each year.

Funds to administer system, how derived.

Board to submit estimate of costs, etc.

Membership in retirement system.

SECTION 5. All persons who are employees on the operative date of this retirement system may become members of the system. Every employee in service on said date, except an employee then covered by any other pension or retirement law of this commonwealth, shall, on the expiration of sixty days from said date, be considered to have become a member of this retirement system unless within that period he shall have sent notice in writing to the retirement board that he does not wish to join the system. Employees declining to join this retirement system within sixty days from the operative date of the retirement system may thereafter be admitted to membership, but no employee shall receive credit for prior service unless he applies for membership or becomes a member of the retirement system within one year from the operative date of the retirement system.

An employee who is covered by any other pension or retirement law of the commonwealth on the operative date of this retirement system shall not be considered to have become a member of this retirement system unless said employee shall then or thereafter make written application to join this system and shall therein waive and renounce all benefits of any other pension or retirement system supported wholly by the city of Worcester, but no such employee shall receive credit for prior service unless he makes such application for membership within one year from the operative date of this system. If such an employee does not make such application and waive and renounce such benefits, he shall retain and enjoy said benefits without diminution or impairment.

Employees covered by other pension or retirement laws, etc.

All persons who become employees after the operative date of this system shall as a part of their employment become members of this retirement system and shall receive no other pension or retirement allowance from the city of Worcester.

Persons becoming employees after operative date to become members, etc.

SECTION 6. The funds hereby created are the annuity savings fund, the pension accumulation fund and the retirement reserve fund.

Creation of certain funds.

The annuity savings fund shall be the fund to which shall be paid the deductions from the compensation of members. The treasurer of the city of Worcester shall withhold five per cent of the regular compensation due on each pay day to all employees who are members of this retirement system, provided that employees who receive more than forty dollars weekly in compensation shall not be assessed for contribution to this fund on the excess above that amount. No member shall pay further deductions from his compensation after the total sum of deductions paid by him shall have amounted, with interest credited thereto, to a sum sufficient to purchase under section fifteen (1) (a) an annuity of five hundred dollars at age sixty, and interest thereafter accruing shall be paid to the member on his retiring. If the accumulated deductions of any employee retired hereunder exceed the amount required to provide an annuity equal to one fourth of the average annual rate of compensation of such employee during the last five years prior to his retirement or resignation or dismissal as provided in paragraph (2) of section ten, the excess above that amount shall be paid to such employee in a lump sum with the first monthly payment on the account of his retirement allowance. The amounts so withheld shall be transferred immediately thereafter to the retirement board and credited to the account of each member so contributing, and shall be paid into and become a part of said annuity savings fund.

Annuity savings fund.

Proviso.

Members not to pay further deductions from compensation, when.

Payment to member in case of excessive accumulated deductions from compensation.

Disposition of amounts withheld from members' compensation.

The pension accumulation fund shall be the fund in which shall be accumulated the annual contributions which shall be made by the city. These annual contributions shall be such as shall be determined by actuarial computations on the basis of mortality and service tables approved by the retirement board as necessary to provide all pension payments on account of members of the retirement system, and shall be paid by the treasurer

Pension accumulation fund.

of the city of Worcester to the retirement board in such instalments and at such times as the retirement board shall require. These annual contributions shall consist of a normal and an accumulated liability contribution.

Normal contribution.

The normal contribution shall be equal to such per centum of the annual compensation of all members as is computed to be sufficient to provide during the active service of the average new entrant for all pensions for which the city may be liable on his account.

Accumulated liability contribution.

The accumulated liability contribution shall be computed as a constant percentage of the total pay roll of all members, and shall be sufficient to provide during the thirty year period immediately following the operative date of this system for all pensions to be paid on account of members who are entitled to credit for prior service on said operative date, which are not provided by the normal contributions made on their account. The accumulated liability contributions shall be at least equal to regular interest on the amount of the accumulated liability and shall be at least three per cent greater in amount each year than the amount for the preceding year. The accumulated liability contributions shall be discontinued as soon as the accumulated liability has been liquidated.

Retirement reserve fund.

The retirement reserve fund shall be the fund to which, upon the retirement of any member, shall be transferred

(a) From the annuity savings fund the accumulated deductions of the member, and

(b) From the pension accumulation fund an amount equal to his accumulated deductions, and

(c) From the pension accumulation fund in the case of the retirement of a new entrant an amount sufficient to provide the pension payable on his account not covered by paragraph (b).

Payments from annuity savings fund.

SECTION 7. From the annuity savings fund shall be paid the accumulated deductions of all members leaving the service, except by retirement.

From retirement reserve fund.

From the retirement reserve fund shall be paid all annuities and all pensions equal to the annuities and, in the case of new entrants, all pensions payable on their account.

From pension accumulation fund.

From the pension accumulation fund shall be paid, in case of members who are entitled to credit for prior service, all pensions payable on their account which are not payable from the retirement reserve fund.

Allowance of interest, etc.

SECTION 8. The retirement board shall annually allow regular interest on the average balance for the preceding year to the credit of the various funds from the interest and dividends earned from investments. Any excess earnings over the amount so credited shall be used in reducing the amount of contributions required of the city of Worcester during the ensuing year. Any deficiency shall be paid by the city of Worcester during the ensuing year.

Use of excess earnings.

Payment of deficiency.

Retirement for superannuation at age of sixty.

SECTION 9. A member of this retirement system who shall have attained age sixty shall upon his own application be retired for superannuation within thirty days after the filing of such application, or he may upon the application of the head of his

department be retired for superannuation by the retirement board. A member whose retirement is applied for by the head of his department shall be entitled to a notice of such application and to a hearing before the retirement board; provided, that he requests such hearing in writing within ten days of the receipt of such notice.

Notice and hearing.

Proviso.

A member of this retirement system who shall have attained age seventy shall be retired for superannuation on the day following his attainment of said age.

Retirement for superannuation at age of seventy.

SECTION 10. (1) Upon retirement for superannuation a member of the retirement system shall receive a retirement allowance consisting of:

Allowance upon retirement for superannuation.

(a) An annuity as provided in section fifteen which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement except as otherwise provided in the second paragraph of section six, and

Annuity.

(b) A pension equal to the annuity, payable to him under (a) of this section computed under paragraph (1) (a) of section fifteen and

Pension.

(c) If a member was an employee on the operative date of the retirement system and became a member within one year thereafter and has not since become a new entrant, an additional pension computed under paragraph (1) (a) of section fifteen and having an actuarial value equivalent to twice the contributions which he would have made during his prior service had the system then been in operation, together with regular interest thereon.

Additional pension.

(2) The sum of the accumulations applied to provide the pensions under (b) and (c) of this section shall not exceed the amount which at age sixty, and in accordance with paragraph (1) (a) of section fifteen is sufficient to provide a total pension of five hundred dollars; except, that in no case shall the sum of the pensions hereunder exceed an amount which, when added to the annual rate of annuity payable to the member if he had chosen the annuity provided under paragraph (1) (a) of section fifteen, would provide a total retirement allowance of one half the average annual rate of his compensation during the five years prior to retirement, or, if such member resigns or is dismissed prior to the date of retirement, during the five years prior to such resignation or dismissal. For the purpose of determining the maximum retirement allowance under this section, the rate of compensation received by a member on the date immediately preceding a period of absence without pay shall be used as the rate of pay which he would have received during such absence without pay.

Limit of amount of accumulations applied to provide pensions, etc.

Maximum retirement allowance.

SECTION 11. Retirement for ordinary disability shall be made by the retirement board upon the application of the head of the department in which the member is employed or of the member or a person acting in his behalf, stating that said member is physically or mentally incapacitated for the performance of duty and ought to be retired; provided, that said member has not attained age sixty and has had twenty or more years of city service for the city of Worcester next preceding said application

Retirement for ordinary disability.

Proviso.

and that the medical board, after examination, shall report that said member is physically or mentally incapacitated for the performance of duty and that he should be retired.

Allowance upon
retirement for
ordinary dis-
ability.
Annuity.

SECTION 12. Upon retirement for ordinary disability a member shall receive a retirement allowance consisting of:

Pension.

(a) An annuity as provided in section fifteen which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement except as otherwise provided in the second paragraph of section six, and

Additional pen-
sion.

(b) A pension equal to the annuity, payable to him under (a) of this section computed under paragraph (1) (a) of section fifteen, but not to exceed ninety per cent of the pension that would have been provided at age sixty, and

(c) An additional pension of such an amount as would, when added to the pension under (b) of this section, make up a total pension of ninety per cent of the pension that would have been provided by the city for the member had he remained without further change of compensation in the service of the city until he reached age sixty and retired.

Retirement for
accidental
disability.

SECTION 13. Retirement for accidental disability shall be made by the retirement board upon the application of the head of the department in which the member is employed or, of the member or of a person acting in his behalf, stating that said member is physically or mentally incapacitated for the performance of duty as the result of an accident occurring during the performance and within the scope of his duty and, certifying the time, place and conditions of such service performed by said member resulting in such alleged disability, and that such alleged disability was not the result of contributory negligence on the part of said member and that he ought to be retired; provided, that the medical board after examination shall report that said member is physically or mentally incapacitated for the performance of duty as a natural and proximate result of an accident occurring in the performance and within the scope of his duty, and that such disability is not the result of contributory negligence on the part of said member, and that said member should be retired.

Proviso.

Allowance upon
retirement for
accidental
disability.
Annuity.

SECTION 14. Upon retirement for accidental disability a member shall receive a retirement allowance consisting of:

Pension.

(a) An annuity as provided in section fifteen which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement except as otherwise provided in the second paragraph of section six, and

Additional
pension.

(b) A pension equal to the annuity payable to him under (a) of this section computed under paragraph (1) (a) of section fifteen, and

(c) An additional pension of such an amount as will, when added to the annuity and pension under (a) and (b) of this section, provide a total annual rate of retirement allowance of one half of the annual rate of regular compensation received by him on the date of the accident.

Member en-
titled to an-
nuity may

SECTION 15. (1) With the condition that no payment on account of any retirement allowance shall be made prior to the

expiration of thirty days from the date of retirement and that no optional election shall become effective in case a member dies within such time, a member entitled to an annuity, or if he be an incompetent, then his wife, father or mother, or if he have none such in the order named, a conservator, may not later than thirty days after the date of retirement elect that the annuity shall be payable in one of the following forms:

elect that it be payable in one of two forms.

(a) A life annuity, payable in monthly instalments.

(b) A life annuity of lesser amount payable in monthly instalments, with the provision that if the annuitant dies before receiving annuity payments equal to the amount used to purchase the annuity, the difference shall be paid to his legal representative.

(2) When an election has not been made before the expiration of thirty days after the date of retirement, the annuity shall be computed under form (a).

Effect if election not made, etc.

(3) Should a member die within thirty days after the date of retirement there shall be paid to his legal representative the amount which would have been paid if the annuity had been computed under paragraph (1) (b) of this section.

Payment if member dies within thirty days after retirement.

SECTION 16. Should a member cease to be an employee by resignation or discharge or for any reason other than death or retirement, he shall be paid the amount of his accumulated deductions, and his membership in the retirement system shall thereupon cease. Should a member die before retirement, his accumulated deductions shall be paid to his legal representative.

Payment if member ceases to be employee for reason other than death or retirement.

If member dies before retirement.

Should there be due to the estate of a deceased member of the retirement system any sum of money payable from the funds of the system, the same shall be paid to his legal representative; provided, that if the sum so due does not exceed three hundred dollars, and there has been no demand therefor by a duly appointed executor or administrator, payment may be made, after the expiration of three months from the date of the death of such member, to the persons appearing, in the judgment of the retirement board, to be entitled thereto, and such payment shall be a bar to recovery by any other person.

Payment of money due to estate of deceased member.

Proviso.

SECTION 17. There shall be a medical board of three physicians, one of whom shall be a surgeon, one a medical practitioner and one a neurologist, appointed by the trustees of the Worcester city hospital on nominations made by the senior medical staff of said hospital, one of whom shall be appointed for one year, one for two years, and one for three years, and thereafter as the terms of office expire in each year one member for three years. The compensation of the members of the medical board shall be fixed by the retirement board, with the approval of the mayor of the city of Worcester. The medical board shall arrange for and pass upon all medical examinations required under the provisions of this act, and shall report in writing to the retirement board its conclusions and recommendations thereon.

Medical board, appointment, terms, compensation, duties, etc.

SECTION 18. Once each year the retirement board shall require every person under age sixty who was retired for disability to submit to a medical examination to be made at a place

Annual medical examination of persons under age sixty retired for disability.

designated by the medical board. Upon the completion of such examination the medical board shall report and certify to the retirement board whether said beneficiary is still incapacitated physically or mentally for service in the department of the city where he was employed and of the rank or rating held by him when retired for disability.

Cessation of disability, cessation of retirement allowance, restoration to service, etc.

If the medical board shall find that the disability for which the member was retired has ceased, or if the member fails to submit to said examination, his retirement allowance shall cease. Should the disability for which a member was retired upon application of the head of the department in which he was employed cease, he shall be restored to the department from which he was retired at the same rank and salary which he had when he was retired. Should the retirement allowance of any disability beneficiary be cancelled as provided in this section without his restoration to service, the reserve on his pension in the retirement reserve fund shall be transferred to the pension accumulation fund, and the reserve on his annuity in the retirement reserve fund shall be paid to him. Should a disability beneficiary be restored to active service as provided in this section, the reserve on his pension in the retirement reserve fund shall be transferred to the pension accumulation fund, and the reserve on his annuity in the retirement reserve fund shall be transferred to his credit in the annuity savings fund, and he shall then become again a member of the retirement system. When next retired his retirement allowance shall be based upon his service period preceding his first retirement, together with the service period from the date of his restoration to city service to the date of his final retirement.

Retirement board to prepare and publish annual report, etc.

SECTION 19. (1) The retirement board shall prepare and publish an annual report, which shall also be printed in the city document of the city of Worcester, showing the financial condition of the funds created by this act on the thirty-first day of the preceding December and the financial transactions of said board for the year ending thereon and shall set forth in such report such other facts, recommendations and data as may be of value to the members of the retirement system and the city of Worcester. The board shall also file annually on or before the fifteenth day of February, in the office of the commissioner of insurance, unless for cause shown the commissioner shall extend the time, a sworn copy of the financial statement herein described.

To file copy of financial statement with commissioner of insurance.

Valuation of bonds, etc.

(2) The bonds and all other invested funds having a fixed term and rate shall, if amply secured and not in default as to principal or interest, be valued in the financial statement as follows: If purchased at par, at the par value; if purchased above or below par, on the basis of the purchase price adjusted so as to bring the value to par at maturity and so as to yield meantime the effective rate of interest at which the purchase was made. Subject to the approval of the retirement board, the city treasurer shall have custody of the funds of the system and any and all unappropriated income thereof, and shall invest and reinvest the same, when not required for current disbursements, in ac-

City treasurer to have custody of system's funds, etc.

cordance with section thirty-eight of chapter twenty-nine of the General Laws.

(3) The retirement board shall collect and keep in convenient form such data as shall be necessary for the preparation of the mortality and service table and for the compilation of such other information as shall be necessary for the actuarial valuation of the assets and liabilities of the system.

Board to collect data, etc.

(4) In the five year period beginning with the year in which the retirement system first becomes operative and in every five year period thereafter the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the system, and shall make a valuation of the assets and liabilities of the funds, and taking into account the result of such investigation the retirement board shall:

Actuarial investigations, valuation of assets and liabilities of funds, etc.

(a) Adopt for the system such mortality, service and other tables as shall be deemed necessary, and

To adopt mortality, etc., tables.

(b) Certify the rates of contribution payable by the city of Worcester under the provisions of this act.

To certify contribution rates payable by Worcester.

(5) On or before the operative date of the retirement system the actuary shall recommend to the retirement board appropriate tables for use as a basis for making actuarial calculations preliminary to the preparation of tables based on the experience of members after the retirement system becomes operative.

Actuary to recommend tables for actuarial calculations, etc.

(6) By the use of the mortality and service tables which shall be adopted from time to time, the actuary shall prepare annually a valuation of the assets and liabilities of the retirement system for publication in the annual report.

To prepare valuation of system's assets and liabilities.

SECTION 20. The retirement board may make such rules and regulations consistent with the terms of this act as it may deem necessary to carry out the provisions of this act.

Rules and regulations.

SECTION 21. Pensions and annuities under the provisions of this act shall be payable in equal monthly instalments computed at the nearest multiple of twelve.

Pensions and annuities payable in monthly instalments.

SECTION 22. The pensions, annuities and retirement allowances and the accumulated deductions and the cash and securities in the funds created by this act are hereby exempted from any state or municipal tax, and shall not be subject to executions or attachments by trustee process or otherwise, in law or in equity, or under any other process whatsoever, and shall be non-assignable except as specifically provided in this act.

Exemption from taxation, executions, attachments, etc.

SECTION 23. The retirement board shall estimate the aggregate amount to be paid by the city of Worcester to the various funds created under the provisions of the act for each fiscal year of the city of Worcester, and shall submit said estimate to the mayor of the city of Worcester not later than January first in each year.

Estimate of amount to be paid by city of Worcester.

SECTION 24. The amounts necessary to pay the contributions of the city of Worcester to the various funds created under the provisions of this act shall be obtained from funds raised by taxation.

Said amount to be raised by taxation.

SECTION 25. No person who was a member of the retirement system and who receives a retirement allowance under the

Pensioners not to be paid for services to city

of Worcester,
except, etc.

retirement system shall be paid for any service, except service as a juror, and such service as he may be called upon to perform in the police or fire department in a time of public emergency, rendered by him to the city of Worcester after the date of the first payment of such retirement allowance.

Supervision by
commissioner
of insurance.

SECTION 26. (1) The commissioner of insurance or his agent shall at least once every year thoroughly inspect and examine the affairs of the retirement association or system to ascertain its financial condition, its ability to fulfil its obligations, whether all the parties in interest have complied with the laws applicable thereto, and whether the transactions of the retirement board have been in accordance with the rights and equities of those in interest. He shall also prescribe and supervise the method of bookkeeping of the retirement system and shall approve all of the actuarial work and mortality tables used in connection therewith.

Commissioner
to have access
to books, may
summon and
examine per-
sons, etc.

(2) For the purposes aforesaid, the commissioner or his agent shall have access to all the securities, books and papers of the retirement system, and may summon and administer oath to and examine any person relative to the financial affairs, transactions and condition of the retirement system. The commissioner shall preserve in a permanent form a full record of the proceedings at such examination and the results thereof. Upon the completion of such examination, verification and valuation, the commissioner shall make a report in writing of his findings to the board and to the city council of Worcester.

To report to
retirement
board and
city council.

Violations of
retirement law
or rules, notice,
etc.

(3) If, in the judgment of the commissioner of insurance, the retirement board or the city of Worcester has violated or neglected to comply with any provision of this act or of the rules and regulations established thereunder, he shall give notice thereof to the mayor and city council and to the retirement board, and thereafter, if such violation or neglect on the part of the board or city continues, shall petition to the supreme judicial or superior court to compel the observance and to restrain the violation of any such provision. The said courts shall have jurisdiction in equity of such a petition and shall have like jurisdiction in equity upon the petition of the retirement board or any interested party.

Court en-
forcement of
law, etc.

Estimate of
length of serv-
ice, etc.

SECTION 27. If it is impracticable for the retirement board to determine the exact length of service or amount of salary, pay or compensation of any member, the same shall be estimated by the retirement board.

Rights as to
discharge, etc.,
of employees
not affected.

SECTION 28. Nothing contained in this act shall affect the right or power of the city of Worcester or its officials, in regard to demotion, transfer, suspension or discharge of any employee.

Inconsistent
acts repealed.
Certain retire-
ment laws not
affected.

SECTION 29. All acts or parts of acts inconsistent herewith are hereby repealed. Nothing herein contained shall be construed as affecting the provisions of sections forty-nine to sixty, inclusive, of chapter thirty-two of the General Laws.

Provisions of
act may be
altered or
amended, etc.

The provisions of this act may be altered or amended from time to time, and all such alterations and amendments shall, upon their taking effect, become binding upon the city of Worcester and the employees who have previously become subject to

said act, and all contractual rights entered into by and between the city and the employees thereof hereunder shall be deemed to have been entered into subject to being subsequently affected by such alterations or amendments; provided, that no such alterations or amendments shall affect the rights of employees under section sixteen with reference to deposits previously made, or reduce the amount of any retirement allowance then payable.

Proviso.

SECTION 30. Whenever this act has been accepted by the city council and the mayor of the city of Worcester, the following question shall then be placed upon the ballot and submitted to the voters of the city at the next ensuing municipal election: "Shall an act passed by the general court in the year nineteen hundred and twenty-three entitled 'An Act providing retirement allowances based on annuity and pension contributions for employees of the city of Worcester' which has been accepted by the city council and mayor of said city, be accepted?"

To be submitted to voters upon acceptance by city council and mayor.

If accepted by said voters the city clerk shall, within thirty days file a certificate to that effect in the office of the commissioner of insurance. Said commissioner shall forthwith issue a certificate that the retirement system is declared established in said city, to become operative on the first day of February or the first day of August following the expiration of three months after the date of the certificate.

Certificate to and by commissioner of insurance if accepted by voters.

Approved May 17, 1923.

AN ACT DIRECTING THE ELECTION COMMISSIONERS OF THE CITY OF LOWELL TO DIVIDE THE CITY INTO WARDS.

Chap. 411

Be it enacted, etc., as follows:

SECTION 1. In the year nineteen hundred and twenty-four, and every tenth year thereafter, the election commissioners of the city of Lowell shall make a re-division of the territory of said city into such number of wards, not less than nine nor more than eleven, as said commissioners shall determine. Such re-division shall otherwise be made in accordance with the provisions of chapter fifty-four of the General Laws, so far as the same are not inconsistent herewith.

Election commissioners of city of Lowell to divide city into wards.

SECTION 2. So much of section two of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-one as is inconsistent herewith is hereby repealed.

Repeal.

Approved May 17, 1923.

AN ACT AUTHORIZING THE ABATEMENT OF CERTAIN TAXES ON REAL ESTATE TO BE USED BY THE WILBUR COMEAU POST, NO. 4, INC., OF THE AMERICAN LEGION AS ITS HEAD-QUARTERS.

Chap. 412

Be it enacted, etc., as follows:

The assessors of the city of Haverhill may abate certain taxes assessed for the year nineteen hundred and twenty-three to Clara L. Hunking and Sarah S. Cheney upon so much of a certain parcel of real property in said city, situated on the westerly side of Main street in said city and now numbered one

Abatement of certain taxes on real estate to be used by Wilbur Comeau Post, No. 4, Inc., of The American Legion.

hundred and sixty on said street, as shall be used by the Wilbur Comeau Post, No. 4, Inc., of The American Legion as its headquarters.

Approved May 17, 1923.

Chap.413 AN ACT RELATIVE TO THE QUALIFICATIONS AND EXEMPTIONS OF JURORS.

Be it enacted, etc., as follows:

G. L. 234, § 1,
amended.

SECTION 1. Section one of chapter two hundred and thirty-four of the General Laws is hereby amended by striking out, in the fourteenth and fifteenth lines, the words "cashiers of incorporated banks; constant ferrymen;" and by striking out, in the sixteenth and seventeenth lines, the words "members of the Ancient and Honorable Artillery Company;" so as to read as follows:— *Section 1.* A person qualified to vote for representatives to the general court shall be liable to serve as a juror, except that the following persons shall be exempt:

Qualifications
and exemptions
of jurors.

The governor; lieutenant governor; members of the council; state secretary; members and officers of the senate and house of representatives during a session of the general court; judges and justices of a court; county and associate commissioners; clerks of courts and assistant clerks and all regularly appointed officers of the courts of the United States and of the commonwealth; registers of probate and insolvency; registers of deeds; sheriffs and their deputies; constables; marshals of the United States and their deputies, and all other officers of the United States; attorneys at law; settled ministers of the gospel; officers of colleges; preceptors and teachers of incorporated academies; registered practicing physicians and surgeons; persons over sixty-five years of age; members of the volunteer militia; superintendents, officers and assistants employed in or about a state hospital, insane hospital, jail, house of correction, state industrial school or state prison; keepers of lighthouses; conductors and engine drivers of railroad trains; teachers in public schools; enginemen and members of the fire department of Boston, and of other cities and towns in which such exemption has been made by vote of the city council or the inhabitants of the town, respectively.

G. L. 33, § 72,
amended.

SECTION 2. Section seventy-two of chapter thirty-three of the General Laws is hereby amended by striking out the last two sentences.

Approved May 17, 1923.

Chap.414 AN ACT AMENDING THE ACT ESTABLISHING DEERFIELD ACADEMY IN THE TOWN OF DEERFIELD.

Emergency
preamble.

Whereas, Delay in the taking effect of this act would defeat its purpose to enable Deerfield Academy to receive certain gifts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Laws and Re-
solves of Massa-
chusetts 1796,

Section 2D of chapter sixty-two of the Laws and Resolves of Massachusetts of the year seventeen hundred and ninety-six is

hereby amended by striking out, in the fifth and sixth lines, the following “, & whereof the annual income shall not exceed the sum of two thousand Dollars, in Silver”, — so as to read as follows: — *Sect. 2D.* *And be it further enacted*, that the Trustees of said Academy, in their said capacity, are, & shall be capable in Law to take & receive by gift, grant, bargain, devise or otherwise, lands, tenements, or other estate, Real & personal; To have & to hold the same for the sole trust & purpose of supporting an Academy in said Town of Deerfield, for the promotion of Piety, Religion & Morality, & for the Education of Youth in the liberal Arts & Sciences, & all other useful Learning, according to the requisition of any gift or bequest, which shall be made to the said Corporation, or as the Trustees for the time being, shall direct & ordain; and the said Corporation shall have full power & authority to Lease & manage their Lands, Tenements & all other Estate, & to bargain, sell & dispose thereof, where they shall not be restrained by the terms of any gift or devise; *Provided*, that for the sale of any Real Estate the property of said Corporation, the concurrence of two thirds of all the Trustees, for the time being, shall be requisite; And all Deeds or Contracts sealed with the common Seal of the said Corporation & signed by any officer thereof, or any Trustee, pursuant to their order shall be valid & effectual in Law to all intents.

62, § 2D,
amended.

Trustee of 1st
Deerfield
Academy, may
hold etc., real
and personal
estate.

Proviso.

Approved May 18, 1923.

AN ACT AUTHORIZING THE TOWN OF ORANGE TO BORROW MONEY
FOR SCHOOL PURPOSES.

Chap. 415

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing a new high school building or additions to school buildings where such additions increase the floor space, and for the purpose of original equipment and furnishings for said building or additions, the town of Orange may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Orange School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of
Orange may
borrow money
for school
purposes.

Orange School
Loan, Act of
1923.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1923.

AN ACT AUTHORIZING THE TOWN OF CHATHAM TO INCUR IN-
DEBTEDNESS FOR SCHOOLHOUSE AND OTHER MUNICIPAL PUR-
POSES.

Chap. 416

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for a school and for other municipal purposes, and of relocating, remodelling and reconstructing the present high school building and constructing additions thereto, said additions to increase the floor

Town of Chat-
ham may
borrow money
for school-
house and
other municip-
al purposes.

Chatham
School and
Municipal
Loan, Act of
1923.

space of said building, and of constructing a new building for a school, for town office accommodations, for an auditorium and for other municipal purposes, or for any of said purposes, and for the purpose of originally equipping and furnishing said buildings or additions, the town of Chatham may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Chatham School and Municipal Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1923.

Chap.417 AN ACT AUTHORIZING THE TOWN OF HUDSON TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of Hud-
son may bor-
row money for
school pur-
poses.

SECTION 1. For the purpose of constructing a new high school building and for the original equipment and furnishing of said building, the town of Hudson may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Hudson School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Hudson School
Loan, Act of
1923.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1923.

Chap.418 AN ACT PROVIDING FOR THE COMPLETION OF A STATE HIGHWAY IN THE TOWN OF HINGHAM.

Be it enacted, etc., as follows:

Division of
highways to
expend addi-
tional sums for
completion of
state highway
in town of
Hingham.

SECTION 1. For the purpose of completing the state highway in the town of Hingham as authorized by chapter two hundred and thirteen of the General Acts of nineteen hundred and sixteen, and in accordance with the provisions thereof except as provided in this act, the division of highways of the department of public works is hereby authorized and directed to expend during the years nineteen hundred and twenty-three and nineteen hundred and twenty-four such additional sums, not exceeding one hundred and fifty thousand dollars, as may be required, payable out of such funds as may be available for the construction of state highways by said division.

Assessment
against town of
Hingham
limited.

SECTION 2. The total amount to be assessed against the town of Hingham under this act and said chapter two hundred and thirteen shall not exceed the sum of one hundred thousand dollars.

Approved May 18, 1923.

AN ACT AUTHORIZING THE CITY OF HOLYOKE TO USE CERTAIN
PARK LAND FOR THE PURPOSE OF LAYING OUT A PUBLIC STREET
AND EXTENDING HIGH STREET. *Chap.419*

Be it enacted, etc., as follows:

SECTION 1. The city of Holyoke upon obtaining the consent of its parks and recreation commission may use the following described land, which is now held for park purposes by the said city and which is a part of Elmwood Park, for the purpose of laying out a public street and extending High street in said city. The land necessary for the extension of the said High street is bounded and described substantially as follows: Beginning at a point, said point being the intersection of the so-called easterly side of High street and the so-called westerly side of Norfolk street, thence running northwesterly seventy feet at a right angle to said High street to a point; thence running southwesterly two hundred thirty-two and thirty-six one hundredths feet along a curve of nine hundred and forty-one feet radius to a point on the easterly side of Ross avenue; thence southerly seventy feet along Ross avenue to a point; thence northeasterly two hundred forty-two and three tenths feet along a one thousand and eleven feet radius curve to the point of beginning, containing sixteen thousand five hundred and ninety square feet, more or less.

City of Holyoke may use certain park land for laying out a public street and extending High street.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to July first in the current year. So much of this act as authorizes its acceptance by said city council shall take effect upon its passage.

To be submitted to city council, etc. Proviso.

Approved May 18, 1923.

AN ACT AUTHORIZING THE COUNTY OF DUKES COUNTY TO INCUR
INDEBTEDNESS FOR HIGHWAY PURPOSES. *Chap.420*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of paying its proportion of the cost of improving the highway between the towns of Edgartown and West Tisbury, the county treasurer of the county of Dukes County, with the approval of the county commissioners, may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Dukes, Highway Improvement Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and said loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of said county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall be subject to chapter thirty-five of the General Laws.

Dukes County may borrow money for highway purposes.

County of Dukes, Highway Improvement Loan, Act of 1923.

To be submitted to county commissioners. Proviso.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of the county of Dukes County; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 18, 1923.

Chap.421 AN ACT RELATIVE TO THE LISTING BY ASSESSORS OF PROPERTY WHICH IS EXEMPT FROM LOCAL TAXATION.

Be it enacted, etc., as follows:

G. L. 59, § 51, amended.

Listing by assessors of property exempt from local taxation.

Chapter fifty-nine of the General Laws is hereby amended by striking out section fifty-one and inserting in place thereof the following: — *Section 51.* The assessors shall enter upon the valuation list, in the appropriate columns after the enumeration of the persons and estates liable to taxation therein contained, a statement and description of all the property and estate, with the fair cash value thereof, which is exempted from taxation in their respective towns pursuant to the provisions of the first fifteen clauses of section five, or for the reason that it is owned by a county, city, town or district and put to a public use, with the names of the persons or corporations owning the same and the purpose for which it is used, and with a reference to the law, if any, by which such exemption is allowed.

Approved May 18, 1923.

Chap.422 AN ACT AUTHORIZING THE SALE OF THE PROPERTY OF THE CONWAY ELECTRIC STREET RAILWAY COMPANY.

Be it enacted, etc., as follows:

Conway Electric Street Railway Company may sell its property, etc.

The Conway Electric Street Railway Company may sell its property upon such terms and conditions, approved by the department of public utilities, as may be agreed to by vote of its board of directors and by vote of two thirds in interest of all its shareholders.

Approved May 18, 1923.

Chap.423 AN ACT AUTHORIZING THE COUNTY OF BRISTOL TO PENSION ELIZABETH J. DILLINGHAM.

Be it enacted, etc., as follows:

County of Bristol may pension Elizabeth J. Dillingham.

SECTION 1. The county commissioners of the county of Bristol shall, forthwith upon their acceptance of this act, retire Elizabeth J. Dillingham, who has for twenty-nine years served said county faithfully and efficiently as clerk in its southern district registry of deeds, on an annuity not exceeding six hundred dollars payable by said county.

SECTION 2. This act shall take effect upon its acceptance by said county commissioners; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 18, 1923.

To be submitted to county commissioners. Proviso.

AN ACT RELATIVE TO THE TAXATION OF BUSINESS CORPORATIONS. *Chap. 424*

Be it enacted, etc., as follows:

SECTION 1. Section thirty-two of chapter sixty-three of the General Laws is hereby amended by striking out, in the first and second lines, the words "thirty-three and thirty-four" and inserting in place thereof the words: — thirty-four and thirty-four A, — so as to read as follows: — *Section 32.* Except as otherwise provided in sections thirty-four and thirty-four A, every domestic business corporation shall pay annually, with respect to the carrying on or doing of business by it, an excise equal to the sum of the following, provided that every such corporation shall pay annually a total excise not less in amount than one twentieth of one per cent of the fair cash value of all the shares constituting its capital stock on the first day of April when the return called for by section thirty-five is due:

G. L. 63, § 32, amended.

Excise on certain domestic business corporations.

Proviso.

(1) An amount equal to five dollars per thousand upon the value of its corporate excess.

(2) An amount equal to two and one half per cent of that part of its net income, as defined in this chapter, which is derived from business carried on within the commonwealth.

SECTION 2. Said chapter sixty-three is hereby further amended by inserting after section thirty-two the following new section: — *Section 32A.* Every domestic business corporation deriving its profits principally from the ownership, sale, rental or use of real estate or tangible personal property shall pay annually, with respect to the carrying on or doing of business by it, a total excise under this chapter not less in amount than one twentieth of one per cent of said corporation's gross receipts from business assignable to this commonwealth as defined in clause six of section thirty-eight.

G. L. 63, new section after § 32.

Excise on domestic business corporations principally dealing in real estate or tangible personal property.

SECTION 3. Section thirty-nine of said chapter sixty-three is hereby amended by inserting at the beginning thereof the following: — Except as otherwise provided herein or in section thirty-nine B, — so as to read as follows: — *Section 39.* Except as otherwise provided herein or in section thirty-nine B, every foreign corporation shall pay annually, with respect to the carrying on or doing of business by it within the commonwealth, an excise equal to the sum of the following, provided that every such corporation shall pay annually a total excise not less in amount than one twentieth of one per cent of such proportion of the fair cash value of all the shares constituting its capital stock as the assets, both real and personal, employed in any business within the commonwealth on April first following the close of the taxable year, bear to the total assets of the corporation employed in business on said date:

G. L. 63, § 39, amended.

Excise on certain foreign corporations.

Proviso.

(1) An amount equal to five dollars per thousand upon the value of the corporate excess employed by it within the commonwealth.

(2) An amount equal to two and one half per cent of that part of its net income, as defined in section thirty and in this

section, which is derived from business carried on within the commonwealth.

Assessment in case of two or more foreign corporations filing consolidated returns of income to federal government.

If two or more foreign corporations doing business in this commonwealth participated in the filing of a consolidated return of income to the federal government, the tax under paragraph (2) above may, at their option, be assessed upon their combined net income, in which case the tax shall be assessed to all said corporations and collected from any one or more of them. Foreign corporations thus affiliated and doing business in this commonwealth, which do not elect, under the foregoing provision, to be assessed upon their combined net income, and all other foreign corporations doing business in this commonwealth, which have filed with one or more corporations not subject to this section a consolidated return of net income to the federal government, shall each file with the commissioner, as a part of the return required by this chapter, a statement of net income in such form as he may prescribe, showing the gross income and deductions in accordance with the law and regulations governing the usual federal returns of corporations not thus affiliated; and the net income thus shown, after making deductions therefrom and additions thereto as provided in paragraph five of section thirty, shall be the "net income" under this chapter.

G. L. 63, new section after § 39 B, etc.

Excise on foreign corporations principally dealing in real estate or tangible personal property.

SECTION 4. Said chapter sixty-three is hereby further amended by inserting after section thirty-nine B, inserted by section two of chapter two hundred and fifty-four of the acts of nineteen hundred and twenty-three, the following new section:— *Section 39C.* Every foreign corporation deriving its profits principally from the ownership, sale, rental or use of real estate or tangible personal property shall pay annually, with respect to the carrying on or doing of business by it, a total excise under this chapter not less in amount than one twentieth of one per cent of said corporation's gross receipts from business assignable to this commonwealth as defined in clause six of section thirty-eight.

When to take effect, etc.

SECTION 5. This act shall take effect as of January first, nineteen hundred and twenty-four, and shall apply to all taxes assessed in the year nineteen hundred and twenty-four and thereafter.

Approved May 18, 1923.

Chap. 425 AN ACT PERMITTING THE SALE OF VEGETABLE SAUSAGES.

Be it enacted, etc., as follows:

G. L. 94, § 142, amended.

SECTION 1. Section one hundred and forty-two of chapter ninety-four of the General Laws is hereby amended by inserting after the word "cent" in the fourth line the words:—, except as authorized by section one hundred and forty-three A, — so as to read as follows:— *Section 142.* For the purposes of this and the following section, sausage or sausage meat shall be deemed to be adulterated:

Adulteration of sausages, etc.

First. If it contains any cereal or vegetable flour or any product thereof in excess of two per cent, except as authorized by section one hundred and forty-three A;

Second. If it contains any coloring matter, or any substance injurious or deleterious to health;

Third. If it contains water in excess of an amount sufficient to make the product palatable and to facilitate mixing and placing in casings;

Fourth. If it contains, except as casing, the organs of the thoracic and abdominal cavities or any part thereof, except hearts, tripe and liver;

Fifth. If it contains any diseased, contaminated, filthy or decomposed substance; or if it is manufactured, in whole or in part from, or contains a substance produced, stored, transported or kept in a way or manner that would render the article diseased, contaminated or unwholesome; or if it is the product of a diseased animal or the product of any animal which has died otherwise than by slaughter.

SECTION 2. Said chapter ninety-four is hereby further amended by inserting after section one hundred and forty-three the following new section:— *Section 143A.* Nothing in this chapter shall prevent the sale or the offering or exposing for sale of vegetable sausages as such, if such sausages contain not less than twenty per cent of vegetables or vegetable products and are otherwise made in conformity with the provisions of this chapter; provided, that such sausages are sold, offered or exposed for sale under their own distinctive name.

G. L. 94, new section after § 143.
Sale of vegetable sausages.

Proviso.

Approved May 19, 1923.

AN ACT RELATIVE TO MINIMUM RETIREMENT ALLOWANCES FOR MEMBERS OF THE BOSTON RETIREMENT SYSTEM RETIRED FOR SUPERANNUATION.

Chap. 426

Be it enacted, etc., as follows:

SECTION 1. Section ten of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by inserting after the word "thereon" in the thirteenth line the word:— and, — and the following new paragraph:— (d) If the retirement allowance provided under the foregoing clauses of this section for a member who has been an employee for fifteen years or more would otherwise be less than four hundred and eighty dollars a year, an additional pension sufficient to make a total retirement allowance of four hundred and eighty dollars a year, — and by inserting after the word "not" in the fourteenth line the words:— , except as provided in paragraph (d), — so as to read as follows:— *Section 10.* Upon retirement for superannuation a member of the retirement system shall receive a retirement allowance consisting of:

1922, 521, § 10, amended.

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

(b) A pension equal to the annuity, and

(c) If a member was an employee at the time the system was established and became a member within one year thereafter and has not since become a new entrant, an additional pension having an actuarial value equivalent to twice the contributions which he would have made during his prior service had the system

Allowances upon retirement for superannuation under Boston Retirement System.

then been in operation, together with regular interest thereon and

(d) If the retirement allowance provided under the foregoing clauses of this section for a member who has been an employee for fifteen years or more would otherwise be less than four hundred and eighty dollars a year, an additional pension sufficient to make a total retirement allowance of four hundred and eighty dollars a year.

Maximum pension.

The total pension of any member payable under the provisions of this section shall not, except as provided in paragraph (d), exceed one half of the average annual compensation received by him during the five years immediately preceding his retirement.

To be submitted to mayor and city council.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council of the city of Boston; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 19, 1923.

Chap.427 AN ACT TO FIX THE SALARIES OF CERTAIN MEMBERS OF THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

G. L. 28, § 2, amended.

Section two of chapter twenty-eight of the General Laws is hereby amended by striking out, in the third line, the words "one thousand" and inserting in place thereof the words: — twenty-five hundred, — so as to read as follows: — *Section 2.* The commissioner shall receive such salary, not exceeding six thousand dollars, and each associate commissioner such salary, not exceeding twenty-five hundred dollars, as the governor and council determine.

Metropolitan district commission, salaries of associate commissioners.

(The foregoing was laid before the governor on the fourteenth day of May, 1923, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap.428 AN ACT RELATIVE TO ADVERTISING FOR PROPOSALS FOR BIDS FOR THE PURCHASE OF NOTES AND OTHER SECURITIES OF COUNTIES.

Emergency preamble.

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 35, § 38, amended.

Section thirty-eight of chapter thirty-five of the General Laws is hereby amended by adding at the end thereof the following new sentence: — Notes authorized by section thirty-seven, notes or bonds issued to renew or refund indebtedness existing at the time of issue thereof, notes or bonds in anticipation of reimbursement from cities, towns and others in connection with work temporarily financed by the county, including tuberculosis hospital maintenance notes under section eighty-five A of chapter one hundred and eleven, shall be excepted from the requirement

of this section as to advertising for bids and may be sold at public or private sale, — so as to read as follows: — *Section 38.* Before issuing notes or securities increasing county indebtedness, the county commissioners shall invite proposals for the purchase thereof by advertisements in two or more newspapers published in said county, if any, and by advertisements in at least three daily newspapers published in Boston. They shall reserve the right to reject any and all bids. The bids shall be publicly opened and noted in their records. If no proposal is made or accepted they may award the whole or any part of the loan to any person. Notes authorized by section thirty-seven, notes or bonds issued to renew or refund indebtedness existing at the time of issue thereof, notes or bonds in anticipation of reimbursement from cities, towns and others in connection with work temporarily financed by the county, including tuberculosis hospital maintenance notes under section eighty-five A of chapter one hundred and eleven, shall be excepted from the requirement of this section as to advertising for bids and may be sold at public or private sale.

Proposals for purchase of notes and other securities of counties, advertising, etc.

Exception of certain securities from requirement as to advertising for bids, etc.

Approved May 22, 1923.

AN ACT AUTHORIZING THE APPORTIONMENT OF THE EXPENSE INCURRED BY THE COUNTY OF ESSEX FOR A TUBERCULOSIS HOSPITAL WITHIN SAID COUNTY.

Chap. 429

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex may at any time after the passage of this act, and from time to time thereafter, determine the net amount of the expenditures theretofore made and the indebtedness, including interest, theretofore incurred on account of the hospital constructed in said county for the care of persons suffering from tuberculosis, under the provisions of sections seventy-eight to ninety-one, inclusive, of chapter one hundred and eleven of the General Laws, or corresponding provisions of earlier laws, after deducting from the gross amounts of such expenditures and indebtedness the proceeds of any receipts on account of the same and any receipts from the sale of any property theretofore acquired for said purpose, which sales said commissioners are hereby authorized in their discretion to make, and may from time to time apportion to the cities and towns in said county, except the cities of Haverhill, Lawrence, Lynn, Newburyport and Salem, the net amount of such expenditures and indebtedness so determined, in accordance with their valuation used in assessing the county taxes; and each of such cities and towns shall pay the sum so apportioned to it into the treasury of said county at such time and in such instalments as the said county commissioners shall by special order direct. The county commissioners shall have the remedies for the collection of sums so apportioned, and the several cities and towns shall have the right to incur indebtedness to provide funds for the payment thereof, provided in sections eighty-three and eighty-four of said chapter one hundred and eleven. The county commissioners shall determine the total cost of such hospital together with interest paid or due on bonds

Apportionment to certain cities and towns of expense incurred by Essex county for a tuberculosis hospital within said county.

Payment by said cities and towns.

Remedies for collection.

Indebtedness by cities and towns to provide for payments.

Subsequent apportionment to and pay-

ment by said cities and towns, etc.

Certain cities and towns constituting hospital district, etc., to be subject to certain duties, etc.

Distribution of receipts to certain cities and towns if hospital purchased etc., by federal government or commonwealth.

or notes of said county issued therefor, and shall deduct therefrom the sum of the apportionments previously made under the provisions of this act, and the balance of said cost and interest shall be apportioned to, collected from and paid by said cities and towns in the manner provided in section eighty-three of said chapter one hundred and eleven; and such cities and towns may, if they so vote, borrow money to make said payments in the manner provided in section eighty-four of said chapter one hundred and eleven. All the said cities and towns of said county, except the cities of Haverhill, Lawrence, Lynn, Newburyport and Salem, constituting the hospital district intended to be served by such hospital, shall be subject to the duties and obligations imposed by said chapter one hundred and eleven in relation to county tuberculosis hospitals, and by this act.

SECTION 2. In the event of the purchase or acquisition of said tuberculosis hospital by either the federal government or the commonwealth, all receipts from such purchase or acquisition shall be distributed to the cities and towns in said hospital district in proportion to the amounts paid by said cities and towns in the assessments levied upon them under the provisions of this act.

SECTION 3. This act shall take effect upon its passage.

Approved May 22, 1923.

Chap. 430 AN ACT AUTHORIZING THE RETIREMENT OF MEMBERS OF THE BOARD OF FIRE ENGINEERS OF THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

Retirement of members of board of fire engineers of city of New Bedford.

SECTION 1. Any member of the board of fire engineers of the city of New Bedford may, upon the same conditions as apply to members of the fire department of said city, under the provisions of chapter one hundred and ninety-six of the acts of nineteen hundred and ten, be retired by the mayor, with the approval of the board of aldermen, and receive compensation at the rate therein provided.

SECTION 2. This act shall take effect upon its passage.

Approved May 22, 1923.

Chap. 431 AN ACT FURTHER REGULATING THE RIGHT OF NON-RESIDENTS TO OPERATE MOTOR VEHICLES WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. 90, § 3, amended.

Rights of non-residents as to operation within the commonwealth of motor vehicles owned by them.

SECTION 1. Section three of chapter ninety of the General Laws is hereby amended by inserting at the beginning thereof the words: — Subject to the provisions of section three A, — so as to read as follows: — *Section 3.* Subject to the provisions of section three A, a motor vehicle or trailer owned by a non-resident who has complied with the laws relative to motor vehicles and trailers, and the operation thereof, of the state or country in which he resides may be operated on the ways of this commonwealth without registration except as otherwise provided in section ten; provided, that said state or country grants similar privileges to residents of this commonwealth; this section, how-

Proviso.

ever, shall be operative as to a motor vehicle or trailer owned by a non-resident only to the extent that under the laws of the foreign country or state of his residence like exemptions and privileges are granted to motor vehicles and trailers duly registered under the laws of and owned by residents of this commonwealth; and the registrar shall determine what states or countries grant similar privileges and the extent of the privileges so granted, and his determination shall be final. The registrar may suspend or revoke the right of any non-resident operator to operate in this commonwealth, and may suspend or revoke the right of any owner to operate or have operated in this commonwealth any motor vehicle or trailer for the same causes and under the same conditions that he can take such action regarding resident owners, operators, motor vehicles and trailers owned in this commonwealth. Every such vehicle so operated shall have displayed upon it two number plates, substantially as provided in section six, bearing the distinguishing number or mark of the state in which the owner thereof resides, and none other until the vehicle is registered in accordance with this chapter. A motor vehicle or trailer so owned may be operated also in this commonwealth during the months of July, August and September in any one year if application for the registration thereof is made in accordance with section two, and the vehicle is duly registered by the registrar or his authorized agent. The registrar shall furnish at his office, without charge, to every person whose automobile is registered as aforesaid two number plates of suitable design, each of which shall have displayed upon it the register number assigned to such vehicle. Such number plates shall be valid only during the period of time for which they are issued. Every such registration shall expire at midnight on September thirtieth in each year.

Suspension or revocation of rights.

Number plates.

Registration for operation during July, August and September.

Number plates.

Expiration of registration.

SECTION 2. Said chapter ninety is hereby amended by inserting after section three the two following new sections: —
Section 3A. The acceptance by a non-resident of the rights and privileges conferred by section three or four, as evidenced by his operating a motor vehicle thereunder, or the operation by a non-resident of a motor vehicle on a public way in the commonwealth other than under said sections, shall be deemed equivalent to an appointment by such non-resident of the registrar or his successor in office, to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceeding against him, growing out of any accident or collision in which said non-resident may be involved while operating a motor vehicle on such a way, and said acceptance or operation shall be a signification of his agreement that any such process against him which is so served shall be of the same legal force and validity as if served on him personally. Service of such process shall be made by leaving a copy of the process with a fee of two dollars in the hands of the registrar, or in his office, and such service shall be sufficient service upon the said non-resident; provided, that notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff to the defendant, and the defendant's return receipt and the

G. L. 90, new sections after § 3.

Appointment by non-residents of registrar of motor vehicles as attorney for service of process, etc.

Service of process, how made, etc.

Proviso.

Court may order continuances, etc.

Fee to be taxed in costs, etc.

Record by registrar.

plaintiff's affidavit of compliance herewith are appended to the writ and entered with the declaration. The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action. *Section 3B.* The fee of two dollars paid by the plaintiff to the registrar at the time of the service shall be taxed in his costs if he prevails in the suit. The registrar shall keep a record of all such processes, which shall show the day and hour of service.

Approved May 22, 1923.

Chap. 432 AN ACT PROVIDING FOR INVESTIGATIONS IN CERTAIN PROBATE PROCEEDINGS.

Be it enacted, etc., as follows:

G. L. 215, new section after § 56.

Investigations in certain probate proceedings.

Report.

Compensation.

Assistance.

Chapter two hundred and fifteen of the General Laws is hereby amended by inserting after section fifty-six the following new section:— *Section 56A.* Any judge of a probate court may appoint a guardian ad litem to investigate the facts in any proceeding pending in said court relating to or involving questions as to the care, custody or maintenance of minor children and as to any matter involving domestic relations except those for the investigation of which provision is made by section sixteen of chapter two hundred and eight. Said guardian ad litem shall, before final decree in such proceeding, report in writing to the court the results of the investigation, and such report shall be open to inspection to all the parties in such proceeding or their attorneys. The compensation shall be fixed by the court and shall be paid by the county where the proceeding is held, together with any expenses approved by the court, upon certificate by the judge to the county treasurer. The state police, local police and probation officers shall assist the guardian ad litem so appointed, upon his request.

Approved May 22, 1923.

Chap. 433 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE FATHER OF HENRY C. GROTE.

Be it enacted, etc., as follows:

City of Boston may pay money to father of Henry C. Grote.

SECTION 1. The city of Boston may pay a sum of money, not exceeding twenty-five hundred dollars, to Carl H. Grote, father of Henry C. Grote, who was accidentally shot by a member of the state guard on September eleventh, nineteen hundred and nineteen, during the riots in Boston, and died in consequence. Said sum shall be paid in such weekly or monthly instalments as the city council may determine and shall not be subject to assignment or attachment. Should any part of said sum remain unpaid at the decease of said Carl H. Grote, the same may be paid in the same manner and subject to the same conditions, to his widow during her life.

To be submitted to city council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 22, 1923.

AN ACT AUTHORIZING THE STATE BOARD FOR VOCATIONAL EDUCATION TO FURNISH AID DURING REHABILITATION TO CERTAIN PERSONS.

*Chap.*434

Be it enacted, etc., as follows:

Chapter seventy-four of the General Laws is hereby amended by inserting after section twenty-two A, inserted by section six of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-one, the following new section: — *Section 22B.* Said state board for vocational education may expend, under rules and regulations made by it and approved by the governor and council, such sums, not exceeding ten thousand dollars, as may be annually appropriated therefor, for the purpose of furnishing aid during rehabilitation to such persons as it shall deem able to profit by training.

G. L. 74, new section after § 22A, etc.

State board for vocational education may furnish aid during rehabilitation to certain persons.

The department of public welfare shall, upon request of said board, make an investigation of the circumstances of persons, actually in training afforded by said board, who apply for aid during rehabilitation under the provisions of this section, and shall make a report of its findings to said board.

Investigation as to persons applying for aid, etc.

Approved May 22, 1923.

AN ACT AUTHORIZING ARRESTS WITHOUT WARRANTS IN CERTAIN CASES BY THE SHERIFFS OF DUKES AND NANTUCKET COUNTIES.

*Chap.*435

Be it enacted, etc., as follows:

Section seventy-five of chapter one hundred and thirty-eight of the General Laws is hereby amended by inserting after the word "town" in the third line the words: — , or, in the county of Dukes or Nantucket, the sheriff anywhere within his county,— so as to read as follows: — *Section 75.* A mayor, alderman, selectman, deputy sheriff, chief of police, deputy chief of police, city marshal, deputy or assistant marshal, police officer or constable, in his city or town, or, in the county of Dukes or Nantucket, the sheriff anywhere within his county, may without a warrant arrest any person whom he finds in the act of illegally selling, transporting, distributing or delivering intoxicating liquor, and seize the liquor, vessels and implements of sale in the possession of such person, and detain them until warrants can be procured against such person, and for the seizure of said liquor, vessels and implements, under this chapter. Such officers shall enforce or cause to be enforced the penalties provided by law against every person who is guilty of a violation of any law relative to the sale of intoxicating liquor of which they can obtain reasonable proof.

G. L. 138, § 75, amended.

Arrests without warrants, etc., in certain cases of violations of laws relative to intoxicating liquor.

Approved May 22, 1923.

AN ACT RELATIVE TO BAIL COMMISSIONERS IN THE COUNTY OF SUFFOLK.

*Chap.*436

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and seventy-six of the General Laws, as amended in section fifty-seven by section one

G. L. 276, § 57, etc., amended.

Magistrates who may admit to bail.

Money and certain securities may be deposited.

Sheriff of Suffolk may appoint, etc., bail commissioners.

G. L. 276, § 60, amended.

Bail in Suffolk county.

Rejected sureties.

of chapter four hundred and sixty-four of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section fifty-seven and inserting in place thereof the following: — *Section 57.* A justice of the supreme judicial or superior court, a clerk of courts or the clerk of the superior court for criminal business in the county of Suffolk, a standing or special commissioner appointed by either of said courts or, in the county of Suffolk, by the sheriff of said county with the approval of the superior court, a justice or clerk of a district court, a master in chancery or a trial justice, upon application of a prisoner or witness held under arrest or committed, either with or without a warrant, or held in the custody of an officer under a mittimus, may inquire into the case and admit such prisoner or witness to bail; and may admit to bail any person committed for not finding sureties to recognize for him. All persons authorized to take bail under this section shall be governed by the rules established by the supreme judicial or superior court. No person offering himself as surety shall be deemed to be insufficient if he deposits money of an amount equal to the amount of the bail required of him in such recognizance, or a bank book of a savings bank or of the savings department of a trust company or national bank, doing business in the commonwealth, properly assigned to the clerk or trial justice with whom the same is or is to be deposited, and his successors, and satisfactory to the person so authorized to take bail, or deposits non-registered bonds of the United States or of the commonwealth or of any county, city or town within the commonwealth equal at their face value to the amount of the bail required of him in such recognizance. The sheriff of Suffolk county may, with the approval of the superior court, appoint standing or special commissioners to take bail to a number not exceeding twenty and may, with like approval, remove them.

SECTION 2. Section sixty of said chapter two hundred and seventy-six is hereby amended by striking out, in the fifth line, the words "by the justices of the superior court" and inserting in place thereof the words: — under section fifty-seven, — so as to read as follows: — *Section 60.* After a conviction or a plea of guilty or of nolo contendere in the superior court in Suffolk county, the prisoner shall not be admitted to bail except in open court; but when said court is not in session, bail may be taken by any judge of a court of record or by any commissioner appointed under section fifty-seven, upon proof that written notice of the proposed application has been duly served upon the district attorney, or one of the assistant district attorneys for the Suffolk district, at least twenty-four hours before the hearing of such application, specifying the name of the prisoner, the crime of which he has been convicted, the time and place of hearing, and the name, occupation and residence of the proposed sureties. No person who has been once offered and rejected as surety shall afterward be accepted as surety for the same person in the same case.

SECTION 3. This act shall take effect upon its passage.

Approved May 23, 1923.

AN ACT REVIVING THE LAWLER BROS. THEATRE CO.

*Chap.*437

Whereas, The deferred operation of this act would cause inconvenience and expense, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

The Lawler Bros. Theatre Co., a corporation dissolved by chapter four hundred and forty of the acts of nineteen hundred and twenty-two, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed; and all acts and proceedings of the stockholders, directors and officers of said corporation acting as such which would be legal and valid but for the passage of said chapter are hereby ratified and confirmed.

Lawler Bros.
Theatre Co.,
revived, etc.

Approved May 23, 1923.

AN ACT TO PROVIDE FOR THE INCORPORATION OF AGRICULTURAL AND OTHER CO-OPERATIVE CORPORATIONS WITHOUT CAPITAL STOCK.

*Chap.*438

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter one hundred and fifty-six of the General Laws is hereby amended by striking out the last paragraph, so as to read as follows: — *Section 2.* Except as expressly made applicable by reference in subsequent chapters, this chapter shall not apply to corporations organized for the purpose of carrying on the business of a bank, savings bank, co-operative bank, trust company, credit union, surety or indemnity company, or safe deposit company, or for the purpose of carrying on within the commonwealth the business of an insurance company, railroad, electric railroad, street railway or trolley-motor company, telegraph or telephone company, gas or electric light, heat or power company, canal, aqueduct or water company, cemetery or crematory company, or to any other corporations which now have or may hereafter have the right to take land within the commonwealth by eminent domain or to exercise franchises in public ways granted by the commonwealth or by any county, city or town. It shall apply to all other domestic corporations having a capital stock and heretofore or hereafter established either by general or special law for the purpose of carrying on business for profit except as provided in chapter one hundred and fifty-seven and except so far as such application may be inconsistent with provisions still in force of any special acts of incorporation, enacted before March eleventh, eighteen hundred and thirty-one, and not subject to amendment, alteration or repeal by the general court, or with provisions of any special acts of incorporation hereafter enacted; and this chapter shall govern the amount of real or personal estate which any corporation subject to it may hold, and the right to increase or decrease its capital stock, notwithstanding the provisions of any special act of incorporation, except in the case of corporations

G. L. 156, § 2,
amended.

Application of
certain laws re-
lating to busi-
ness corpora-
tions.

empowered to manufacture, store, transmit, sell or distribute power.

G. L. 157, § 3,
amended.

Incorporation
of certain co-
operative as-
sociations.

SECTION 2. Section three of chapter one hundred and fifty-seven of the General Laws is hereby amended by striking out, in the sixth line, the word "chapter" and inserting in place thereof the words:— and the six following sections, — and by striking out, in the eleventh line, the words "this chapter" and inserting in place thereof the words:— said sections, — so as to read as follows:— *Section 3.* Seven or more persons, residents of the commonwealth, may associate themselves as a corporation, association, society, company or exchange, to conduct within the commonwealth any agricultural, dairy or mercantile business on the co-operative plan. The word "co-operative" shall form a part of the name of the corporation, and, for the purposes of this and the six following sections, the words "association", "company", "exchange", "society" and "union", shall have the same signification and shall import a corporation. The corporation shall be formed as provided in chapters one hundred and fifty-five and one hundred and fifty-six, with shares having par value, and shall be subject to the provisions thereof so far as consistent with said sections.

G. L. 157, § 8,
amended.

Use of word
"co-operative"
for business
purposes re-
stricted.

SECTION 3. Section eight of said chapter one hundred and fifty-seven is hereby amended by inserting after the word "banks" in the second line the words:— and corporations organized under section ten, — so as to read as follows:— *Section 8.* Any person, partnership, association or corporation, domestic or foreign, except co-operative banks and corporations organized under section ten, transacting business for profit in the commonwealth under any name or title containing the word "co-operative", unless the net earnings thereof are distributed in a manner permitted for a co-operative corporation by this chapter, shall forfeit to the commonwealth not more than ten dollars for every day or part thereof during which such name or title is so used. Such forfeiture may be recovered by an information brought in the supreme judicial or superior court by the attorney general, at the relation of the commissioner of corporations and taxation. Upon such information, the court may issue a temporary or permanent injunction restraining such person, partnership, association or corporation from doing business in the commonwealth, or from so using such name or title, and may make such other orders and decrees as justice and equity may require.

Forfeiture.

Injunction.

G. L. 157, new
heading and
sections after
§ 9.

SECTION 4. Said chapter one hundred and fifty-seven is hereby further amended by adding after section nine under the heading:— "Agricultural and other Co-operative Corporations without Capital Stock" the following nine new sections:—

AGRICULTURAL AND OTHER CO-OPERATIVE CORPORATIONS WITHOUT CAPITAL STOCK.

Certain agri-
cultural, etc.,
associations
may be incor-

Section 10. Agricultural and horticultural associations engaged in any branch of agriculture, horticulture, viticulture, forestry, dairying, the raising of livestock or poultry and any other farming

activity or business, if instituted for the mutual benefit of their members and formed for the purpose of doing business without profit to the association itself may be incorporated without capital stock. Such corporations shall be formed in the manner provided by chapters one hundred and fifty-five and one hundred and fifty-six and shall be subject to the provisions of said chapters, so far as applicable. Members of corporations so organized shall have the rights and powers and be subject to the duties and liabilities of stockholders of corporations having capital stock, under the provisions of said chapters, so far as is consistent with this and the eight following sections.

incorporated without capital stock.

Members to have powers, duties, etc., of stockholders, etc.

Section 11. Any corporation organized under the preceding section shall have power to mortgage or pledge its real or personal property and to issue promissory notes or other evidences of indebtedness. Such corporation shall also have power to establish reserves and invest the funds thereof in such manner as it may deem advisable or as may be provided in its by-laws; and to exercise all other powers, rights and privileges necessary or incidental to the purposes for which said corporation was organized or to the activities in which it is engaged; provided, however, that no such corporation shall handle the products of any non-member, except for storage.

Powers of corporation.

Proviso.

Section 12. The first meeting of the corporation shall be held within six months after the execution of the agreement of association. If the directors of the corporation have been previously chosen in anticipation of its organization, or in connection with a plan for preliminary organization, or in accordance with contracts made in anticipation of such organization, such choice of directors shall be ratified at said meeting. Elections of directors shall thereafter be governed by section twenty-two of chapter one hundred and fifty-six, except as provided in the following section.

First meeting of corporation.

Ratification of choice of directors, etc.

Subsequent elections of directors.

Section 13. In addition to the powers granted by section thirteen of chapter one hundred and fifty-six, any corporation organized under section ten may provide in its by-laws for the election of directors by districts; for the election of advisory directors who are not members, the number of whom shall not be greater than one fifth the total number of directors; for voting of members by mail in elections and on questions concerning the operation and business of the corporation; for the admission, withdrawal, suspension or expulsion of members; for dues and assessments to be paid by members and the conditions under which such dues and assessments shall be imposed and collected; for determining the rights and interests of members in the property of the corporation, whether equal or unequal; for establishing the basis of voting by the members, especially whether the votes of all members shall be equal, or in proportion to the land area leased or used by each member for production of the products handled by the corporation, or in proportion to the quantity of such products delivered by each member to the corporation during the preceding year; for an approved or established form of marketing contract; and for fines or other penalties for violation of its by-laws or marketing contract. No by-law shall be

By-laws, scope, etc.

Amendment,
repeal, etc., of
by-laws.

amended or repealed nor any new by-law adopted, unless notice of the proposed action is given in the call for the meeting at which the proposal is to be considered, or in the call for the vote if the vote is to be taken by mail.

Membership
limited.

Section 14. Membership in such corporations shall be limited to persons engaged in the production of products which are handled or to be handled by the corporation, as specified in its articles of organization, including the lessees or tenants of land used for the production of such products and lessors or landlords to whom are due all or any part of such products produced on leased or rented premises in payment for the use of such premises. If a member is a corporation, it may be represented by any officer thereof, duly authorized in writing.

Corporations
as members.

Amendment,
etc., of agree-
ment of associ-
ation, etc.

Section 15. Any such corporation may amend or alter its agreement of association or articles of organization in the manner provided by sections forty-one to forty-three, inclusive, of chapter one hundred and fifty-six, so far as applicable; provided, that such amendment or alteration shall require a vote of three fourths of the members present and voting at a meeting of the corporation called to consider such amendment or alteration, or if the vote upon such amendment or alteration is taken by mail, by vote of three fourths of the members who return votes. A vote by mail upon such amendment or alteration shall not be valid unless votes are returned by at least three fifths of the members of the corporation.

Proviso.

Vote by mail.

Corporation
may enter into
marketing con-
tracts with its
members, etc.

Section 16. Any such corporation may enter into marketing contracts with its members by which the members shall agree to sell, for any period of time not exceeding ten years, all or any specified part of their products or of certain specified products exclusively to or through the corporation or any agency designated by it. If such contract provides for a sale to the corporation, title to the products covered thereby shall pass to the corporation absolutely, except for recorded liens, upon delivery or at any other time specified in said contract, if expressly so agreed therein. Any such contract may, however, provide for sale by the corporation of the products of its members with or without acquisition of title to such products by the corporation and may further provide that the corporation shall pay over to the members the resale price after deducting all necessary expenses including any allowances, contributions or deductions authorized by its by-laws or by the contract itself. Such contract shall not be construed as a violation of any provision of sections one to seven, inclusive, of chapter ninety-three, unless it results in an undue enhancement of the price of the product to which the contract applies, nor shall any corporation organized under section ten be liable to prosecution for any action reasonable and proper in the exercise of the rights and powers conferred by sections ten to nineteen, inclusive.

Liquidated
damages upon
breach of con-
tract.

Section 17. The marketing contract may fix as liquidated damages specific sums to be paid by a member upon breach of the provisions of said contract requiring sale or delivery of products by the member exclusively to or through the corporation or any agency designated by it, and such provision shall be

valid and enforceable in the courts of the commonwealth. Any such corporation may be granted a temporary or permanent injunction against a member for breach or threatened breach of such contract with reference to the said provisions for sale or delivery of products.

Injunction
against mem-
bers.

Section 18. A corporation organized under the provisions of section ten, and any corporation, association or organization now or hereafter established, organized or chartered without capital stock for a similar purpose under laws other than those of this commonwealth, shall not be liable to taxation under the provisions of chapter sixty-three, but shall be taxable under the provisions of chapter fifty-nine, in the same manner and to the same extent as an individual or partnership. The fee for filing and recording the articles of organization required by section ten, including the issuing by the state secretary of the certificate of incorporation, shall be fifty dollars.

Local taxation.

Fee for filing,
etc., articles of
organization,
etc.

SECTION 5. Section thirty of chapter sixty-three of the General Laws, as amended by chapter three hundred and two of the acts of nineteen hundred and twenty-two and by section three of chapter two hundred and fifty-four of the acts of the current year, is hereby further amended by inserting at the end of line four the following: — , except corporations organized under the provisions of section ten of chapter one hundred and fifty-seven, — and by inserting at the end of line eleven the following: — provided, that said term shall not apply to such corporations, associations or organizations without capital stock as are subject to taxation under section eighteen of chapter one hundred and fifty-seven, — so that the first two paragraphs of said section thirty shall read as follows: — *Section 30.* When used in this section and sections thirty-one to fifty-two, inclusive, the following terms shall, except as otherwise expressly provided therein, have the following meanings:

G. L. 63, § 30,
etc., amended.

Taxation of
business cor-
porations.
Definitions.

1. "Domestic business corporation", every corporation organized under or subject to chapter one hundred and fifty-six, except corporations organized under the provisions of section ten of chapter one hundred and fifty-seven.

"Domestic
business cor-
poration".

2. "Foreign corporation", every corporation, association or organization established, organized or chartered under laws other than those of the commonwealth, for purposes for which domestic corporations may be organized under chapter one hundred and fifty-six, which has a usual place of business in this commonwealth, or is engaged here, permanently or temporarily, in the construction, erection, alteration or repair of a building, bridge, railroad, railway or structure of any kind; provided, that said term shall not apply to such corporations, associations or organizations without capital stock as are subject to taxation under section eighteen of chapter one hundred and fifty-seven.

"Foreign cor-
poration".

Proviso.

SECTION 6. This act shall not be construed to affect corporations heretofore organized under the last paragraph of section two of chapter one hundred and fifty-six of the General Laws, as previously existing.

Act not to af-
fect certain
corporations.

Approved May 23, 1923.

Chap. 439 AN ACT RELATIVE TO THE EXPENSES OF MEDICAL EXAMINERS
IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

G. L. 38, § 5,
amended.

Medical ex-
aminers' sal-
aries and ex-
penses in Suf-
folk county.

SECTION 1. Section five of chapter thirty-eight of the General Laws is hereby amended by striking out, in the fifteenth line, the words "six thousand" and inserting in place thereof the words: — seventy-five hundred, — so as to read as follows: — *Section 5.* In Suffolk county each medical examiner shall receive from the county a salary of five thousand dollars, and each associate medical examiner a salary of eight hundred and thirty-three dollars; but if either associate serves in any year more than two months, he shall for such additional service be paid at the same rate, and the amount so paid shall be deducted from the salary of the medical examiner at whose request he so serves. The medical examiners for said county shall be provided with rooms suitably furnished for the performance of their duties, the rent, furnishing and office equipment of which shall be paid for by said county upon approval of the mayor of Boston. Each of said medical examiners may, in the name of the county, contract such bills for clerical service, postage, stationery, printing, telephone, traveling, and for such other incidental expenses as may in his opinion be necessary for the proper performance of his duty, to an amount not exceeding seventy-five hundred dollars in any one year; and each associate may so contract bills for the said purposes to an amount not exceeding one thousand dollars in any one year; and all such bills shall be paid by said county, upon a certificate by the contracting examiner that they were necessarily incurred in the performance of his duty, and upon the approval of the auditor of Boston, as provided in section nineteen, and of the mayor. Medical examiners and associate medical examiners in other counties shall receive fees as follows: For a view without an autopsy, seven dollars; for a view and an autopsy, thirty dollars; and for travel, ten cents a mile to and from the place of view.

Fees in other
counties.

To be sub-
mitted to Bos-
ton city coun-
cil, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 23, 1923.

Chap. 440 AN ACT PROVIDING FOR THE CONSTRUCTION OF A BREAKWATER
AT PEMBERTON POINT IN THE TOWN OF HULL.

Be it enacted, etc., as follows:

Division of
waterways and
public lands
may construct
a breakwater
at Pemberton
Point in Hull.
Contributions
by county of
Plymouth and
town of Hull.

SECTION 1. Subject to the conditions herein imposed, the division of waterways and public lands of the department of public works is hereby authorized and directed to construct a breakwater at Pemberton Point in the town of Hull for the purpose of protecting said point from erosion by the sea. No work shall be begun until the county of Plymouth and the town of

Hull have each contributed and paid into the treasury of the commonwealth the sum of thirty thousand dollars, which together with such sum not exceeding thirty thousand dollars, as may hereafter be appropriated by the commonwealth, shall constitute a fund for the improvement herein authorized; provided, that the total cost of such improvement shall not exceed ninety thousand dollars; and provided further, that if any of the aforesaid sum remains unexpended after the completion of such improvement one third of such remainder shall be repaid to said county and town.

Provisos.

SECTION 2. For the purpose of meeting the payments required to be made by the county of Plymouth under this act, the county commissioners of said county may from time to time borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars, and may issue bonds or notes of the county therefor. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

County of Plymouth may borrow money, etc.

SECTION 3. For the purpose of meeting the payments required to be made by the town of Hull under this act, said town may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of Hull Breakwater Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Indebtedness incurred hereunder shall be outside the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Hull may borrow money, etc.

Town of Hull Breakwater Loan, Act of 1923.

SECTION 4. This act shall take effect upon its acceptance by vote of the county commissioners of Plymouth county and by vote of the town of Hull and the filing in the office of the division of waterways and public lands of certified copies of said votes.

To be submitted to Plymouth county commissioners and voters of town of Hull, etc.

Approved May 23, 1923.

AN ACT AUTHORIZING THE CITY OF CHELSEA TO PENSION ROBERT N. WILLARD.

Chap. 441

Be it enacted, etc., as follows:

SECTION 1. The city of Chelsea is hereby authorized to retire Robert N. Willard since eighteen hundred and ninety-eight continuously in its service and now permanently disabled by reason of injuries received in the discharge of his duties, and to pay him a pension of fifteen dollars per week, said sum being one half the compensation which he is now receiving from said city.

City of Chelsea may pension Robert N. Willard.

To be sub-
mitted to al-
dermen, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the board of aldermen of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 23, 1923.

Chap.442 AN ACT AUTHORIZING THE CITY OF REVERE TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

1923, 115, § 1,
amended.

City of Revere
may borrow
money for
school purposes.

Revere School
Loan, Act of
1923.

SECTION 1. Chapter one hundred and fifteen of the acts of nineteen hundred and twenty-three is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* For the purpose of constructing school buildings, and additions to the present high school building and to other school buildings increasing the floor space of such buildings, and of originally equipping and furnishing said buildings and additions, the city of Revere may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Revere School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 24, 1923.

Chap.443 AN ACT AUTHORIZING THE TOWN OF FRANKLIN TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of Frank-
lin may borrow
money for
school pur-
poses.

Franklin School
Loan, Act of
1923.

SECTION 1. For the purpose of acquiring land for and constructing a new high school building and for the purchase of original equipment and furnishings for such building, the town of Franklin may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Franklin School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 24, 1923.

Chap.444 AN ACT AUTHORIZING THE UNIONVILLE FIRE AND WATER DISTRICT TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Unionville Fire
and Water Dis-
trict may

SECTION 1. For the purpose of extending its water mains and improving its water distribution facilities, the Unionville

Fire and Water District may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, five thousand dollars, in addition to any sums heretofore authorized for water purposes, and may issue bonds or notes therefor, which shall bear on their face the words, Unionville Fire and Water District Water Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Any indebtedness incurred under this act shall, except as herein provided, be subject to chapter forty-four of the General Laws.

make an additional water loan.

Union Fire and Water District Water Loan, Act of 1923.

SECTION 2. The district shall at the time of authorizing said loan or loans provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required by this act, shall, without further vote, be certified to the assessors of the town of Easton and shall annually thereafter be assessed, collected, and paid over to the district treasurer, in the same manner as is provided by law in the case of fire district taxes, until the debt incurred by said loan or loans is extinguished.

Payment of loan, etc.

SECTION 3. This act shall take effect upon its passage.

Approved May 24, 1923.

AN ACT REVIVING THE BONWIT TELLER COMPANY OF MASS.

Chap. 445

Whereas, The deferred operation of this act would cause great inconvenience and expense, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

The Bonwit Teller Company of Mass., a corporation dissolved by chapter four hundred and forty of the acts of nineteen hundred and twenty-two, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed.

Bonwit Teller Company of Mass., revived.

Approved May 24, 1923.

AN ACT PROVIDING FOR THE IMPROVEMENT OF HULL STREET IN THE TOWNS OF COHASSET AND HINGHAM.

Chap. 446

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the counties of Norfolk and Plymouth, acting as a joint board, are hereby authorized to relocate and reconstruct Hull street on the boundary line between the town of Cohasset in the county of Norfolk and the town of Hingham in the county of Plymouth, and for this purpose may take land under chapter seventy-nine of the General Laws, and alter the lines and grades of said street as the public necessity and convenience may require. No work as aforesaid shall be undertaken or liability incurred until the plans and

Norfolk and Plymouth county commissioners may improve Hull street in towns of Cohasset and Hingham.

Approval of plans, etc., by division of highways.

specifications therefor have been approved by the division of highways of the department of public works.

Norfolk county may issue notes to meet cost of improvements to be paid by it in first instance.

SECTION 2. The cost of said improvements shall in the first instance be paid by the county of Norfolk, and for the purpose of meeting said cost, the county commissioners of said county may from time to time issue notes of the county, and may renew the same, to an amount not exceeding, in the aggregate, one hundred thousand dollars. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than two years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. Said county may sell said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value, and the proceeds thereof shall be paid into the treasury of said county, and shall, upon the order of said joint board, be expended by the treasurer of said county to meet expenses and liabilities incurred as aforesaid. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Apportionment of cost upon Norfolk and Plymouth counties and towns of Hingham and Cohasset.

SECTION 3. Upon the completion of the said improvements the said joint board shall apportion the cost thereof, including land damages and interest on loans issued under section two, upon the said counties of Norfolk and Plymouth and upon the said towns of Hingham and Cohasset, in such manner and proportions as it may deem just and equitable, and thereupon the county of Plymouth and said towns shall pay into the treasury of the county of Norfolk their respective proportions, determined as aforesaid, at such times as said joint board may fix.

Norfolk and Plymouth county commissioners may borrow money, etc.

SECTION 4. For the purpose of paying their respective shares of the cost, apportioned as aforesaid, the county commissioners of the county of Norfolk and the county commissioners of the county of Plymouth may severally borrow on the credit of their respective counties such sums as may be necessary, and may severally issue the bonds or notes of their respective counties therefor, which shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the treasurer of the county issuing the same and countersigned by a majority of the county commissioners of such county, who may sell the same at public or private sale upon such terms and conditions as they may deem proper, but not for less than their par value. Indebtedness so incurred shall, except as herein provided, be subject to chapter thirty-five of the General Laws, and the proceeds thereof shall be paid into the treasury of the county of Norfolk and applied to the payment of loans issued under section two.

Towns of Hingham and Cohasset may borrow money, etc.

SECTION 5. For the purpose of meeting their respective shares of the cost, apportioned as aforesaid, the said towns of Hingham and Cohasset may severally borrow money in excess of the statutory limit to an amount not exceeding said shares, respectively, and may severally issue their bonds or notes therefor, which shall be payable in not more than five years from their dates. Except as herein provided, indebtedness incurred under

this section shall be subject to chapter forty-four of the General Laws, and the proceeds thereof shall be paid to the county of Norfolk and applied to the payment of loans issued under section two.

SECTION 6. Upon the completion of the said work, the said joint board shall file a map or plan in the office of the town clerks of each of the towns of Cohasset and Hingham and in the office of the clerk of the courts for each of the counties of Norfolk and Plymouth, showing the changes in the lines of said way made under the authority of this act.

Maps or plans to be filed, etc.

SECTION 7. This act shall take effect upon its acceptance by the county commissioners of the county of Norfolk and the county commissioners of the county of Plymouth.

To be submitted to Norfolk and Plymouth county commissioners.

Approved May 24, 1923.

AN ACT AUTHORIZING THE RETIREMENT OF HENRY B. SPENCER, *Chap. 447*
WARDEN OF THE MOUNT TOM RESERVATION.

Be it enacted, etc., as follows:

SECTION 1. The Mount Tom state reservation commission shall, forthwith upon the acceptance of this act, retire Henry B. Spencer, who has rendered long and meritorious service as warden of the Mount Tom reservation, on an annual pension for the remainder of his life equal to one half the annual compensation paid him at the time of his retirement, payable from appropriations made for the care and maintenance of said reservation.

Retirement of Henry B. Spencer, warden of Mount Tom reservation.

SECTION 2. This act shall take effect upon its acceptance by the Mount Tom state reservation commission; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to Mount Tom state reservation commission.
Proviso.

Approved May 24, 1923.

AN ACT RELATIVE TO COURT OFFICERS FOR THE MUNICIPAL COURT OF THE CITY OF BOSTON AND THE MUNICIPAL COURT OF THE WEST ROXBURY DISTRICT. *Chap. 448*

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and eighteen of the General Laws, as amended in section sixty-two by section one of chapter two hundred and eighty-four of the acts of nineteen hundred and twenty-one and by section one of chapter two hundred and ninety-nine of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section sixty-two and inserting in place thereof the following:—*Section 62.* In the municipal court of the city of Boston the court officers appointed shall not exceed ten for criminal business and five for civil business and one of such court officers for criminal business shall be designated by the chief justice as chief court officer of said court for criminal business, and one of such court officers for criminal business shall be designated as an assistant chief court officer; in the municipal court of the Roxbury district three court officers may be appointed; in the municipal court of the South Boston district, of the Charlestown district and of

G. L. 218, § 62, etc., amended.

Number of court officers in district courts.

Additional for municipal court of city of Boston and municipal court of West Roxbury district.

the West Roxbury district, the East Boston district court and the district court of East Norfolk two court officers for each court may be appointed; and in each of the other district courts in the commonwealth one court officer may be appointed.

G. L. 218, § 75,
etc., amended.

SECTION 2. Section seventy-five of said chapter two hundred and eighteen, as amended by section two of said chapter two hundred and eighty-four, and by section two of chapter three hundred and nine of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "officer", in the twenty-first line, the words:— and of the assistant chief court officer, — and by inserting after the word "dollars", in the twenty-third line, the words:— and twenty-five hundred and eighty-four dollars, respectively, — so as to read as follows:— *Section 75.* The salary of the chief justice of the municipal court of the city of Boston shall be eighty-five hundred dollars, and the salary of each of the associate justices shall be eight thousand dollars; provided, that any chief justice or associate justice appointed before June fourth, nineteen hundred and twenty, who has not accepted the increase in salary provided by chapter six hundred and fourteen of the acts of nineteen hundred and twenty shall receive annually two thousand dollars less than the salaries above provided for. The salaries of the clerks and assistant clerks of said court, for civil and for criminal business, shall be as follows: clerks, five thousand dollars each; first assistant clerks, thirty-five hundred dollars each; second assistant clerks, three thousand dollars each; third and fourth assistant clerks, twenty-nine hundred dollars each; fifth, sixth and seventh assistant clerks, twenty-four hundred dollars each. The salary of the eighth assistant clerk of said court for civil business shall be twenty-four hundred dollars.

Municipal court
of the city of
Boston, sal-
aries.

Proviso.

The salary of the messenger of said court shall be twenty-six hundred dollars.

The salary of the chief court officer and of the assistant chief court officer of the municipal court of the city of Boston for criminal business shall be twenty-eight hundred dollars and twenty-five hundred and eighty-four dollars, respectively, and the salary of each of the other court officers in attendance at the civil and criminal sessions of said court, twenty-four hundred and eighty-four dollars.

To be sub-
mitted to
mayor of Bos-
ton.
Proviso.

SECTION 3. This act shall take effect upon its acceptance by the mayor of the city of Boston; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 24, 1923.

Chap. 449 AN ACT RELATIVE TO THE RECONSTRUCTION OF HAVERHILL LOWER BRIDGE OVER THE MERRIMACK RIVER AT MAIN STREET IN THE CITY OF HAVERHILL.

Be it enacted, etc., as follows:

Reconstruction
of Haverhill
lower bridge
over Merrimack
river at Main
street in Haver-
hill.

SECTION 1. The special commission created under chapter five hundred and seven of the acts of nineteen hundred and twenty-two is hereby authorized to incur costs and expenses not in excess of one hundred and fifty thousand dollars, in addition

to the costs and expenses heretofore authorized under said chapter five hundred and seven; said amount herein authorized to be raised, expended and assessed in accordance with the provisions of said chapter five hundred and seven.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of the county of Essex and the municipal council of the city of Haverhill; provided, that such acceptances occur prior to December thirty-first in the current year.

Approved May 24, 1923.

To be submitted to Essex county commissioners and Haverhill municipal council.
Proviso.

AN ACT AUTHORIZING THE CITY OF LYNN TO PAY A CERTAIN SUM OF MONEY TO THE WIDOW OF ALBERT H. POND.

Chap. 450

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn may pay to the widow of the late Albert H. Pond, formerly an employee in its fire department, who was killed while in the performance of his duty as such, the balance of salary to which he would have been entitled had he lived and continued to occupy said position until December thirty-first, nineteen hundred and twenty-two.

City of Lynn may pay money to widow of Albert H. Pond.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved May 24, 1923.

AN ACT PROVIDING FOR THE REMOVAL AND DISQUALIFICATION OF CERTAIN PUBLIC OFFICERS IN CERTAIN INSTANCES.

Chap. 451

Be it enacted, etc., as follows:

Section eight of chapter two hundred and sixty-eight of the General Laws is hereby amended by adding at the end thereof the following: — ; and an executive, county other than judicial, or municipal officer who is finally convicted of committing, in connection with the performance of the duties of such office, the crime of larceny, embezzlement or obtaining money under false pretences shall, in addition to the penalty imposed by law for the punishment of such crime, forfeit his office and be forever disqualified to hold any public office, trust or appointment as aforesaid, — so as to read as follows: — *Section 8.* A legislative, executive, judicial, county or municipal officer who corruptly requests or accepts a gift or gratuity or a promise to make a gift or to do an act beneficial to him, under an agreement or with an understanding that his vote, opinion or judgment shall be given in any particular manner, or upon a particular side of any question, cause or proceeding, which is or may be by law brought before him in his official capacity or as a consideration for any speech, work or service in connection therewith, or that, in such capacity, he shall make any particular nomination or appointment, shall forfeit his office, be forever disqualified to hold any public office, trust or appointment under the constitution or laws of the commonwealth, and be punished by imprison-

G. L. 268, § 8, amended.

Removal and disqualification of certain public officers for acceptance of bribe, etc.

Penalty.

Removal, etc.,
for crime of
larceny, em-
bezzlement,
etc.

ment in the state prison for not more than ten years or by a fine of not more than five thousand dollars and imprisonment in jail for not more than two years; and an executive, county other than judicial, or municipal officer who is finally convicted of committing, in connection with the performance of the duties of such office, the crime of larceny, embezzlement or obtaining money under false pretences shall, in addition to the penalty imposed by law for the punishment of such crime, forfeit his office and be forever disqualified to hold any public office, trust or appointment as aforesaid.

Approved May 24, 1923.

Chap. 452 AN ACT TO RELIEVE STREET RAILWAY AND ELECTRIC RAILROAD COMPANIES FROM THE COMMUTATION OR EXCISE TAX.

Be it enacted, etc., as follows:

Street railway
and electric
railroad com-
panies relieved
from commu-
tation or excise
tax.

No commutation or excise tax, so-called, shall be imposed or assessed upon or collected from any street railway or electric railroad company under the provisions of sections sixty-two and sixty-five of chapter sixty-three of the General Laws during the years nineteen hundred and twenty-four to nineteen hundred and twenty-eight, inclusive. Nothing herein contained shall be construed to relieve any such street railway or electric railroad company from filing the annual returns required by section sixty-one of said chapter sixty-three.

Approved May 24, 1923.

Chap. 453 AN ACT TO PROVIDE ACCESS FOR THE PUBLIC TO GREAT PONDS.

Be it enacted, etc., as follows:

G. L. 91, new
section after
§ 18.

Right of way
for public
access to great
ponds.

Chapter ninety-one of the General Laws is hereby amended by inserting after section eighteen the following new section: — *Section 18A.* Upon petition of ten citizens of the commonwealth that in their opinion public necessity requires a right of way for public access to any great pond within the commonwealth, the division of waterways and public lands of the department of public works and the attorney general or a representative designated by him sitting jointly shall hold a public hearing and receive such evidence thereon as may be presented to them. The joint board may make such additional investigation as it deems desirable and if it appears to said board that such a right of way exists it shall present a petition to the land court for registration of the easement. If it appears that no right of way exists it shall submit a report, together with recommendations thereon, to the general court on or before January first of the following year. This section shall not apply to any body of water used as a source of water supply by the commonwealth or by any town or district, or water company, nor shall it affect the right of the commonwealth or any town or district or water company to the use and control of the waters of any such pond for the purposes of a water supply, nor shall it affect or diminish any existing right to the use of the water of any such pond for mercantile or manufacturing purposes.

Not applicable
to water supply
sources, etc.

Approved May 24, 1923.

AN ACT TO PROVIDE FUNDS TOWARD THE COST OF CONSTRUCTION AND MAINTENANCE OF HIGHWAYS AND BRIDGES BY MEANS OF AN EXCISE TAX ON GASOLINE AND OTHER FUEL USED FOR PROPELLING MOTOR VEHICLES UPON OR OVER THE HIGHWAYS OF THE COMMONWEALTH. *Chap. 454*

Be it enacted, etc., as follows:

Chapter 454, Acts of 1923.

Referendum petition filed May 28, 1923.

See page 598.

otherwise requires: —

(a) "Commissioner", the commissioner of corporations and taxation.

(b) "Motor vehicle" shall include any vehicle propelled by any power other than muscular, except boats, tractors used exclusively for agricultural purposes and such vehicles as run only on rails or tracks.

(c) "Distributor" shall include any person who imports or causes to be imported fuel, as herein defined, for use, distribution or sale in the commonwealth; and also any person who produces, refines, manufactures or compounds fuel, as herein defined, within the commonwealth.

(d) "Fuel" shall include gasoline, benzol or other products suitable for use in propelling motor vehicles using combustion type engines upon or over the highways of the commonwealth.

(e) "Purchaser" shall include, in addition to its usual meaning, the distributor in the case of a transfer of fuel by a distributor into a motor vehicle, or into a receptacle from which fuel is supplied by him to his own or other motor vehicles.

(f) "Sale" shall include, in addition to its usual meaning, the transfer of fuel by a distributor into a motor vehicle or into a receptacle from which fuel is supplied by him to his own or other motor vehicles.

(g) "Board of appeal", the board of appeal from decisions of the commissioner of corporations and taxation provided for by section twenty-one of chapter six.

(h) The verb "to sell" in all of its moods and tenses shall refer to a sale as herein defined.

Section 2. The commissioner, upon application of any person, may grant to him a license as distributor permitting him to continue or engage in business as a distributor in the commonwealth. No distributor shall make any sale of fuel in the commonwealth, except a sale which is exempt under the constitution and laws of the United States, without such a license; provided, that the foregoing provision shall not apply to a distributor engaged in

Licensing of distributors of gasoline and other motor vehicle fuel.

Proviso.

Removal, etc.,
for crime of
larceny, em-
bezzlement,
etc.

ment in the state prison for not more than ten years or by a fine of not more than five thousand dollars and imprisonment in jail for not more than two years; and an executive, county other than judicial, or municipal officer who is finally convicted of committing, in connection with the performance of the duties of such office, the crime of larceny, embezzlement or obtaining money under false pretences shall, in addition to the penalty imposed by law for the punishment of such crime forfeit his

from commu-
tation or excise
tax.

taxed company under the provisions of section sixty-five of chapter sixty-three of the General Laws during the years nineteen hundred and twenty-four to nineteen hundred and twenty-eight, inclusive. Nothing herein contained shall be construed to relieve any such street railway or electric railroad company from filing the annual returns required by section sixty-one of said chapter sixty-three. *Approved May 24, 1923.*

*Chap.*453 AN ACT TO PROVIDE ACCESS FOR THE PUBLIC TO GREAT PONDS.

Be it enacted, etc., as follows:

G. L. 91, new
section after
§ 18.
Right of way
for public
access to great
ponds.

Chapter ninety-one of the General Laws is hereby amended by inserting after section eighteen the following new section: — *Section 18A.* Upon petition of ten citizens of the commonwealth that in their opinion public necessity requires a right of way for public access to any great pond within the commonwealth, the division of waterways and public lands of the department of public works and the attorney general or a representative designated by him sitting jointly shall hold a public hearing and receive such evidence thereon as may be presented to them. The joint board may make such additional investigation as it deems desirable and if it appears to said board that such a right of way exists it shall present a petition to the land court for registration of the easement. If it appears that no right of way exists it shall submit a report, together with recommendations thereon, to the general court on or before January first of the following year. This section shall not apply to any body of water used as a source of water supply by the commonwealth or by any town or district, or water company, nor shall it affect the right of the commonwealth or any town or district or water company to the use and control of the waters of any such pond for the purposes of a water supply, nor shall it affect or diminish any existing right to the use of the water of any such pond for mercantile or manufacturing purposes.

Not applicable
to water supply
sources, etc.

Approved May 24, 1923.

AN ACT TO PROVIDE FUNDS TOWARD THE COST OF CONSTRUCTION AND MAINTENANCE OF HIGHWAYS AND BRIDGES BY MEANS OF AN EXCISE TAX ON GASOLINE AND OTHER FUEL USED FOR PROPELLING MOTOR VEHICLES UPON OR OVER THE HIGHWAYS OF THE COMMONWEALTH. Chap. 454

Be it enacted, etc., as follows:

The General Laws are hereby amended by inserting after chapter sixty-four, under the title, "Taxation of Sales of Gasoline and Certain Other Motor Vehicle Fuel", the following new chapter: — G. L. new chapter after chapter 64.

CHAPTER 64-A.

TAXATION OF SALES OF GASOLINE AND CERTAIN OTHER MOTOR VEHICLE FUEL.

Section 1. The following words and phrases, as used in this chapter, shall have the following meanings unless the context otherwise requires: — Definitions.

(a) "Commissioner", the commissioner of corporations and taxation.

(b) "Motor vehicle" shall include any vehicle propelled by any power other than muscular, except boats, tractors used exclusively for agricultural purposes and such vehicles as run only on rails or tracks.

(c) "Distributor" shall include any person who imports or causes to be imported fuel, as herein defined, for use, distribution or sale in the commonwealth; and also any person who produces, refines, manufactures or compounds fuel, as herein defined, within the commonwealth.

(d) "Fuel" shall include gasoline, benzol or other products suitable for use in propelling motor vehicles using combustion type engines upon or over the highways of the commonwealth.

(e) "Purchaser" shall include, in addition to its usual meaning, the distributor in the case of a transfer of fuel by a distributor into a motor vehicle, or into a receptacle from which fuel is supplied by him to his own or other motor vehicles.

(f) "Sale" shall include, in addition to its usual meaning, the transfer of fuel by a distributor into a motor vehicle or into a receptacle from which fuel is supplied by him to his own or other motor vehicles.

(g) "Board of appeal", the board of appeal from decisions of the commissioner of corporations and taxation provided for by section twenty-one of chapter six.

(h) The verb "to sell" in all of its moods and tenses shall refer to a sale as herein defined.

Section 2. The commissioner, upon application of any person, may grant to him a license as distributor permitting him to continue or engage in business as a distributor in the commonwealth. No distributor shall make any sale of fuel in the commonwealth, except a sale which is exempt under the constitution and laws of the United States, without such a license; provided, that the foregoing provision shall not apply to a distributor engaged in Licensing of distributors of gasoline and other motor vehicle fuel.

Proviso.

business as such in the commonwealth at the time this chapter takes effect until after the expiration of sixty days therefrom.

Distributors to keep record of sales, etc.

To deliver written statement to purchasers, etc.

Form, preservation and inspection of records, etc.

Distributors to file monthly returns of sales with commissioner of corporations and taxation.

To pay excise for account of purchaser.

Determination of amount of excise upon failure to file return, etc.

Appeal.

Notice to delinquent distributor.

Penalty for failure to file returns.

Section 3. Every distributor shall keep a complete and accurate record of all sales of fuel, including the name and address of the purchaser, the place and date of delivery and the number of gallons, and a complete and accurate record of the number of gallons imported, produced, refined, manufactured or compounded and the date of importation, production, refining, manufacturing or compounding. Every distributor shall also deliver with every consignment of fuel to a purchaser within the commonwealth a written statement containing the date of purchase, the names of purchaser and seller, and the number of gallons delivered, and shall retain a duplicate of each such statement. Said records and said written statements shall be in such form as the commissioner shall prescribe, and shall be preserved by said distributors and said purchasers, respectively, for a period of one year and shall be offered for inspection at any time upon oral or written demand by the commissioner or his duly authorized agents.

Section 4. Every distributor shall, on or before the fifteenth day of each month, file with the commissioner a return under oath, on forms to be furnished by the commissioner, stating the number of gallons of fuel sold by him in the commonwealth during the preceding calendar month, and said return shall contain or be accompanied by such further information as the commissioner shall require. On or before the fifteenth day of each month next succeeding the filing with the commissioner of said return, each distributor shall pay to the commissioner for the account of the purchaser an excise of two cents on each gallon of fuel sold by him in the commonwealth during the calendar month covered by the return.

Section 5. If a distributor, having failed to file a return, or having filed an incorrect or insufficient return without reasonable excuse, fails to file an original or corrected return, as the case may require, within twenty days after the giving of notice by the commissioner of his delinquency, the commissioner shall determine the amount due, at any time within one year after the making of the earliest sale included in such determination. The distributor may appeal from his decision within ten days thereafter to the board of appeal, whose decision shall be final. The commissioner, or in case of appeal, the board of appeal, having made such determination, shall give notice to the delinquent distributor of the amount determined to be due, and the distributor shall within thirty days after the giving of such notice pay to the commissioner the amount so determined.

Section 6. A distributor who fails to file a return to the commissioner as required by section four, or a corrected return as required by section five, shall forfeit to the commonwealth, and shall pay to the commissioner on demand the sum of five dollars for each day of delay after written notice by the commissioner of such failure. The commissioner may remit a part of said penalty.

Section 7. Unless otherwise provided by the rules or regulations of the commissioner made under authority of this section, any person who shall buy any fuel, on which an excise has been paid or is chargeable under this chapter, and shall consume the same in any manner except in the operation of motor vehicles upon or over the highways of the commonwealth, shall be reimbursed the amount of said excise in the manner and subject to the conditions herein provided. All claims for reimbursement shall be made by affidavit in such form and containing such information as the commissioner shall prescribe, and shall be accompanied by original invoices or sales receipts, and shall be filed with the commissioner within ninety days from the date of purchase or invoice. The commissioner may require such further information as he shall deem necessary for the determination of such claims, and shall transmit all claims approved by him to the state treasurer, who shall repay to the claimant from the proceeds of the excise tax levied under this chapter the amount approved by the commissioner, without specific appropriation. The commissioner shall provide by reasonable rules or regulations for the sale of fuel, free of the excise imposed by this chapter, by any person, other than a distributor, to the ultimate purchaser upon the receipt of a written statement, signed by such ultimate purchaser, that such fuel is intended to be consumed in some manner other than in the operation of motor vehicles upon or over the highways of the commonwealth, and if such excise has already been paid or is chargeable, for the reimbursement of the person so selling such fuel, to the amount of such excise.

Reimbursement of excise if gasoline, etc., taxed is consumed in manner other than in operation of motor vehicles over highways, etc.

Rules and regulations for sales free of excise in certain cases.

Section 8. No provision of this chapter shall apply or be construed to apply to foreign or interstate commerce, except in so far as the same may be permitted under the provisions of the constitution and laws of the United States.

Not applicable to foreign or interstate commerce, except, etc.

Section 9. Except as otherwise provided in the second paragraph of section seven, the tax in every instance shall be borne by the purchaser, and no person offering fuel for sale shall sell, advertise or offer for sale said fuel separately from the tax herein imposed. For any violation of this section, the permit to keep and sell crude petroleum or any of its products, issued by the state fire marshal or his agent, shall be suspended by the said marshal on request of the commissioner for such time as said commissioner deems proper.

Tax to be borne by purchasers.

Sales separately from tax forbidden.

Penalty.

Section 10. Sums due to the commonwealth under this chapter as excise or as penalties or forfeitures may be recovered by the attorney general in an action brought in the name of the commissioner. The commissioner may suspend the license of a distributor for violation of any provision of this chapter, but the distributor may appeal from his decision within ten days thereafter to the board of appeal, whose decision shall be final.

Recovery of excise, penalties, etc.

Suspension of distributors' licenses.

Section 11. Any distributor or purchaser of fuel who violates any provision of this chapter, or who files any false return, affidavit or statement, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Penalty for violations, false returns, etc.

Supreme judicial court may restrain collection of excise upon certain exempted sales.

Disposition of sums received as excise, penalties, etc.

Gasoline-Highway Fund.

Distribution of part to cities and towns for construction, etc., of public ways.

Appropriation of part for expenditure by department of public works.

Section 12. The supreme judicial court shall have jurisdiction in equity to restrain the collection, upon any sale exempted by the constitution and laws of the United States, of the excise imposed by this chapter. Said bill shall be brought against the commissioner, whether the question of the collection of the excise is in the hands of the attorney general or pending before the board of appeal or is still in the hands of the commissioner.

Section 13. All sums received under this chapter as excise, penalties or forfeitures, interest, costs of suit and fines shall be paid into the treasury of the commonwealth, and shall be credited to a fund to be known as the Gasoline-Highway Fund. Out of said fund there shall be paid all refunds payable under this chapter and such sums as shall be annually appropriated to defray the expenses of carrying out the provisions of this chapter. The balance remaining in said fund, after deducting such amount as may be deemed necessary to provide for outstanding refund liability, shall be divided annually as follows: —

(1) Fifty per cent of such balance shall be distributed to the cities and towns of the commonwealth in proportion to the amounts which they contribute to the state tax, and shall be expended by said cities and towns on construction or permanent improvement of public ways within their limits, except that any town which receives in any year a distributive share of less than one thousand dollars may expend such share, in such manner as the selectmen approve, on highways within its limits.

(2) Fifty per cent of such balance shall be annually appropriated by the general court for expenditure by the department of public works on such highways as it may select.

Approved May 24, 1923.

Chap. 455 AN ACT AUTHORIZING LEVER BROTHERS COMPANY TO MAINTAIN A BRIDGE OVER BURLEIGH STREET IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Lever Brothers Company may build and maintain a bridge over Burleigh street in city of Cambridge.

SECTION 1. Upon petition, after seven days' notice inserted in at least one newspaper published in the city of Cambridge and a public hearing thereon, the city council of said city may, by a two thirds vote, with the approval of the mayor, issue a permit to Lever Brothers Company of Cambridge, its successors and assigns, to build and maintain a bridge over Burleigh street in said city, for the purpose of connecting the buildings owned and occupied by said company on said Burleigh street. Said permit shall be granted upon such conditions and subject to such restrictions as the city council may prescribe. Any permit so issued may be revoked by vote of said city council, with the approval of the mayor.

Revocation of permit.

Dimensions, etc.

SECTION 2. Any bridge built under a permit granted as aforesaid shall be constructed and maintained at a height not less than twenty-seven feet, six inches above the grade line of said street, and shall not be more than twenty feet in width, and no part of said bridge or its supports shall rest on the surface of the street.

SECTION 3. If a person sustains bodily injury or damage in his property by reason of the construction or maintenance of said bridge, he may recover damages therefor in an action of tort brought in the superior court against said Lever Brothers Company, or its successors or assigns, within one year after the date of such injury or damage; provided, that such notice of the time, place and cause of the said injury or damage be given to said Lever Brothers Company, or its successors or assigns, by, or on behalf of, the persons sustaining the same as is, under the provisions of chapter eighty-four of the General Laws, valid and sufficient in cases of injury or damage sustained by reason of a defect or a want of repair in or upon a way, if such defect or want of repair is caused by or consists in part of snow or ice, or both. The remedy herein provided shall not be exclusive, but shall be in addition to any other remedy provided by law.

Damages, how recovered, etc.

Proviso.

SECTION 4. This act shall take effect upon its passage.

Approved May 25, 1923.

AN ACT VALIDATING THE ANNUAL TOWN MEETING OF THE TOWN OF NORTH ANDOVER IN THE CURRENT YEAR. Chap. 456

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of North Andover at the annual town meeting, or any adjournment thereof, in the current year, and all acts done in pursuance thereof, are hereby confirmed and made valid, to the same extent as if the said meeting had been called, held and conducted in strict compliance with law.

Annual town meeting of town of North Andover validated.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1923.

AN ACT CONCERNING THE IMPROVEMENT OF LOW LANDS AND SWAMPS. Chap. 457

Whereas, It is important and for the public interest that immediate action should be taken to facilitate the formation and operation of drainage or reclamation districts and to define their powers, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and fifty-two of the General Laws, as amended by chapter three hundred and forty-nine of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out sections one to fourteen A, inclusive, and inserting in place thereof the following sixteen new sections:—

G. L. 252, etc., 16 new sections in place of sections 1 to 14A.

Section 1. If it is necessary or useful to drain or flow a meadow, swamp, marsh, beach or other low land held by two or more proprietors, or remove obstructions in rivers or streams leading therefrom, such improvements may be made as provided in the fifteen following sections.

Improvement of low lands and swamps.

State Reclamation Board, membership.

No additional compensation. Investigations, etc., by board.

Annual report. Employment of engineers, agents, etc.

Expense allowances.

Petition to board for formation of reclamation district, etc.

Investigations and surveys of land to be affected, etc.

Notice of petition by publication, etc.

Hearing.

District commissioners, appointment, etc., to form reclamation district.

Compensation and expenses of commissioners.

Section 2. One member of the department of public health designated by it, and one member of the department of agriculture designated by it, shall constitute the State Reclamation Board, in the fourteen following sections called the board. Members thereof shall receive no additional compensation.

Section 3. The board may investigate the question of utilizing wet lands, including meadows, swamps, marshes, beaches and other low lands, and may ascertain what lands, if any, may advantageously be drained for agricultural or industrial uses, the protection of the public health, the utilization of deposits therein, or for other purposes. It may publish and disseminate facts of general interest ascertained in the conduct of any such investigation, and may make and publish surveys of tracts of land in need of drainage, showing their situation, areas and outlets, the best methods and the cost of draining them, the uses to which they are best adapted, and such other details as it deems advisable. It shall make an annual report.

Section 4. In carrying out the provisions of sections one to fourteen B, inclusive, the board may employ necessary engineers, assistants or other agents, who may enter on land which the board desires to survey or examine. The board shall also be allowed other necessary expenses incurred in the performance of its duties.

Section 5. The proprietors of any area described in section one or a majority in interest either in value or area, may petition the board setting forth their desire to form a reclamation district, as provided in the following section, stating the proposed name of said district, the necessity or desirability of the same, the objects to be accomplished, and a general description of the lands proposed to be affected, together with the names of known owners of said lands. Upon the receipt of said petition the board shall proceed at the expense of the commonwealth to make such investigations and such surveys of the land to be affected by the proposed improvements as may be necessary to determine the need of such improvements, the probable benefit to the public health, the agricultural and other uses to which the land can be put after such improvements, its probable value for such uses after the improvements are completed, and in general the practicability and advisability of undertaking the proposed improvements. If such improvements appear to the board to be desirable and practicable the board shall give notice of the petition therefor by publication in a newspaper published in the county where the greater part of the land lies and by registered mail to each known proprietor, stating the date of a hearing to be held by the board not less than seven days after the publication of said notice and the date of mailing notices to the proprietors. After the hearing, if the board approves the proposed improvements it shall issue a certificate appointing three, five or seven district commissioners who shall be sworn to the faithful performance of their duties and shall authorize said commissioners to form a reclamation district under the following section.

The board shall fix the compensation of said commissioners, which shall not exceed five dollars for each day of actual service,

and shall allow them their necessary traveling expenses incurred in the performance of their duties. Such compensation and expenses shall be paid by the district and shall be a part of the total expense of the improvements.

Any commissioner may be removed by the board for cause and the board may fill vacancies. Said commissioners may be retired by the board when the objects for which they were appointed have been accomplished. For the purpose of this and the eleven following sections, a mortgagor or mortgagee in possession shall be deemed a proprietor.

Removal, etc., of commissioners.

Mortgagor, etc., in possession deemed proprietor.

Section 6. The district commissioners, in this and the ten following sections called the commissioners, after being sworn, shall call a meeting of the proprietors of the lands to be improved, by giving in such manner as the board may order, a notice to each known proprietor, signed by the commissioners and setting forth the time and place of a meeting for the purpose of organizing a reclamation district to carry out the proposed improvements and maintain the same after they are completed. The notice shall be in the form of a warrant specifying the matters upon which action is to be taken at the meeting. Such meeting shall have no power to act unless proprietors constituting a majority in interest either in value or area are present. The chairman of the commissioners or another commissioner designated by him shall preside until a clerk is chosen and sworn and the clerk shall preside until a moderator is chosen. After the choice of a moderator the question of the acceptance of sections one to fourteen B, inclusive, and the organization of a reclamation district shall be submitted to the proprietors present and if a majority of those present and voting vote to accept and to organize such district the provisions of said sections shall take full effect. The vote shall be recorded and a copy thereof shall be filed with the board. The meeting may then proceed to act upon the other articles, if any, contained in the warrant. Such district shall at the same meeting elect by ballot a district clerk and a district treasurer, who may be the same person, to hold office until one year from the succeeding annual meeting and at each annual meeting after the first a clerk and treasurer shall be elected by ballot for one year. There shall also be elected by ballot a prudential committee of three members who shall hold office, one for three years, one for two years, and one for one year, from the next succeeding annual meeting. At each annual meeting after the first a member of said committee shall be elected by ballot for three years. The aforesaid officers of the district shall hold office until their successors are elected and qualified.

Meeting for purpose of organizing reclamation district, etc., how called, etc.

Temporary presiding officers.

Choice of moderator. Question of acceptance of certain statutes and organization of district to be submitted, etc. Record of vote, etc.

District clerk and district treasurer, election, term, etc.

Prudential committee, election, term, etc.

Officers to hold office until succeeded.

Subsequent meetings of the district shall be called by the clerk at the request of the commissioners or any two or more proprietors, or, in case the clerk neglects or refuses to call a meeting when so requested such meeting may upon application by said commissioners or two or more proprietors be called upon a warrant from a justice of the peace directed to one of the applicants and requiring him to give notice of said meeting as hereinafter provided. Notices of meetings shall be given by

Subsequent meetings of district, how called, etc.

Notices.

Moderator to be chosen at each meeting, etc.	posting copies of the warrant in two or more public places within the district or by mailing copies of said warrant to each known proprietor at least seven days before the time set for the meeting. At each meeting a moderator shall be chosen who shall have the powers of the moderator of a town meeting so far as may be necessary. The clerk shall preside at each meeting after the first until a moderator is chosen.
Officers to be sworn. Vacancies, how filled, etc.	The officers of the district shall be sworn to the faithful performance of their duties. Any vacancy occurring in the office of clerk, treasurer, or member of the prudential committee may be filled by the district for the remainder of the unexpired term at any legal meeting called for the purpose, or in case of a vacancy in the office of clerk or treasurer or disability affecting either of said officers the prudential committee may appoint a person to fill said vacancy until an election can be held or the disability is removed. Such temporary appointee shall be sworn and shall perform the duties of the office to which he is appointed during his tenure thereof.
Powers of prudential committee.	The prudential committee shall have charge of expenditures on account of the district for maintenance of the improvements made under sections one to fourteen B, inclusive, and shall exercise the authority conferred upon the district by law except as otherwise expressly provided, and subject to the by-laws of the district and such instructions, rules and regulations as the district may impose by its vote.
Treasurer, duties, etc.	The treasurer shall give bond for the faithful performance of his official duties in a sum and with sureties approved by the prudential committee. He shall receive all money belonging to the district except as otherwise specified in this and the ten following sections and shall make payments and account for the same in accordance with the requirements of sections one to fourteen B, inclusive, and of chapter forty-four so far as applicable, under direction of the district or of the prudential committee. A temporary treasurer appointed to fill a vacancy, as above provided, shall give bond in the same manner as the treasurer.
Temporary treasurer to give bond.	A district organized under the provisions of this section may adopt by-laws consistent with the laws applicable to such district and subject to the approval of the board. It shall have such rights and powers as may be necessary and proper for operating and maintaining the improvements made by the commissioners, and for making, operating and maintaining such further improvements as may be authorized under section fourteen A. The members of the district shall be the proprietors from time to time of lands lying therein. No such district shall dissolve without specific authorization by the general court, which shall not be given until provision has been made for payment of the obligations of said district.
District may adopt by-laws. To have necessary rights and powers, etc.	<i>Section 7.</i> As soon as the district shall have been organized under the provisions of the preceding section the commissioners shall, under the direction of the board, cause the necessary surveys and investigations to be made and shall prepare a plan for the improvements to be effected. On the basis of such surveys and investigations the commissioners shall prepare an estimate
Members to be proprietors, etc. Restrictions as to dissolution.	
Surveys, plans, etc., for improvements.	
Estimation of expense and determination	

of the total expense of the proposed improvements and shall determine the percentage of such expense to be paid by each proprietor, based on the estimated special benefit to his land in excess of the damage thereto by the use thereof for the proposed improvements. If such damage to the land of any proprietor exceeds the special benefit thereto they shall award him damages for such excess. They shall report their plan, estimate and determination to the board, which shall approve, disapprove or modify such plan and estimate. The commissioners shall also notify each proprietor of such determination by delivering a copy thereof at his residence or by sending the same by registered mail to his last known address and shall certify to the board the date on which such notice is given. If any proprietor is aggrieved by the determination of the commissioners he may, within fifteen days after notice thereof, file with the board his objections thereto and if no such objections are filed by any proprietor within the fifteen days above specified then the determination of the commissioners shall be final. The board shall, within thirty days after receiving notice of objections by any proprietor against the determination, notify all the proprietors that such objections have been received and shall hold a hearing thereon, but such hearing shall not be held within seven days after notice is given to all the proprietors that objections have been filed. If objections are made by more than one proprietor all such objections shall be considered in one hearing. After such hearing the board may confirm or modify the determination and shall notify the proprietors of its decision. If any proprietor is dissatisfied with the action of the board he may petition the superior court in the county in which the greater part of the land included within the district is situated, making all the proprietors who have not joined in his petition parties respondent and praying for a revision of such decision, provided that such petition shall be entered not later than thirty days after notice of the decision. The court sitting without jury shall hear the petition and shall confirm or alter the percentages previously determined to be payable by any or all said proprietors, as justice may require. Such petition shall not operate to suspend or delay other proceedings by the board or commissioners on the land to be improved. The expenses incurred under this section shall constitute a part of the total expense of the improvements and shall be paid by the district in the same manner as the remainder of such expense.

of percentage to be paid by each proprietor.

Notice to proprietors of such determination.

Proceedings upon filing of objections by proprietors.

Hearing.

Appeal to superior court, for revision of decision.

Proviso.

Other proceedings, etc., not to be suspended, etc. Expenses under this section, how paid.

Section 8. The board shall determine what part, if any, of the expense of the improvements shall be paid by the commonwealth for the benefit of the public health. It shall annually in its estimates, filed under section three or four of chapter twenty-nine, include items to cover the requirements of reclamation districts under the provisions of sections one to fourteen B, inclusive.

Payment by state of part of expense, etc. Annual estimates by board, etc.

Section 9. As soon as possible after the estimate of the expense of the proposed improvements has been made by the commissioners and reported to the board, said commissioners shall request the clerk to call a meeting of the district for the

Meeting to decide upon method of financing improvements.

Petition to county commissioners to pay expense in first instance.

Counties may issue bonds, etc.

District may vote to finance improvements by one of three methods.

By assessment.

By temporary loan.

By issue of notes or bonds.

purpose of deciding upon a method of financing such improvements. If the district so votes the commissioners shall petition the county commissioners of the county where the greater part of the land lies, annexing a certified copy of the petition under section five and of the determination of the board thereon, and a statement of the estimated expense of the proposed improvements and shall request the county commissioners to vote to pay in the first instance the total expense involved in making the improvements approved by the board, and the said county commissioners may so vote. To defray any expense incurred by said county commissioners under such vote, the county treasurer, with the approval of the county commissioners, may issue bonds or notes of the county to an amount not exceeding such expense, payable in such period, not exceeding twenty-five years from their dates of issue, as the county commissioners may determine. Such bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. The first payment on account of the principal may, if the county commissioners so decide, be deferred for not more than five years after the date of issue of the bonds or notes, but such bonds or notes shall be subject to the provisions of chapter thirty-five except as otherwise provided herein. Payments on account of principal and interest shall be made by the county and repaid to the county by the district.

Section 10. The district may, instead of instructing the commissioners to petition the county commissioners as provided in the preceding section, vote to finance the expense of the improvements in accordance with any one of the three methods herein-after specified. (1) If all the members of the district agree, the district may raise by assessments upon the proprietors or by voluntary contributions and deposit with the state treasurer the total sum required to meet the estimated expense of the improvements. Such deposits shall be held by the state treasurer to the credit of the district, and payments shall be made therefrom as provided in section fourteen. (2) The district may pay the whole expense of the improvements from time to time as the work is performed and for this purpose may incur debt for a temporary loan in anticipation of the collection of assessments from the members of the district during the calendar year in which said debt is incurred or during the next succeeding calendar year. (3) The district may incur debt to the amount necessary to pay the estimated expense of the proposed improvements and may issue therefor notes or bonds, and may, if the board approves, issue notes or bonds on the condition that the first payment on account of the principal shall be deferred for a period of not more than five years from the date of issue of such notes or bonds and that the whole amount of such debt shall be payable within a period of not more than twenty-five years after such notes or bonds are issued.

Indebtedness incurred by the district under the provisions of this section or of section fourteen A shall be subject to chapter forty-four and to other provisions of the general laws applicable to notes and bonds of towns and districts except as otherwise provided in sections one to fourteen B, inclusive. Money received from the sale of notes or bonds issued under this section shall be deposited with the state treasurer and held by him to the credit of the district. If the district issues notes or bonds before an appropriation is made by the general court to pay that part of the cost of the improvements determined to be for the benefit of the public health the state treasurer may, in his discretion, after such appropriation is made, make all or any part of the same available to redeem notes or bonds of the district and shall hold the balance, if any, to the credit of the district to be used for payment of the expense of the improvements. If, after payment of the total expense of the improvements, money remains in the hands of the state treasurer to the credit of the district the same shall be paid to the treasurer of the district and shall be used to redeem outstanding notes or bonds which shall be cancelled by said district treasurer and not reissued.

Indebtedness by district regulated.

Deposit of receipts from bonds, etc., with state treasurer.

Redemption of bonds, etc., from appropriation for state's share of expense, etc.

Payment by state treasurer of balance due district, etc.

Section 11. The clerk of the district shall certify to the assessors of the town or towns in which the land of the district lies all sums of money voted to be raised and all sums payable annually on account of the principal and interest due on bonds or notes issued under the provisions of section nine or ten, and shall also certify to said assessors the proportion to be paid by each proprietor according to the determination made under section seven. The amount so certified shall be added to the annual tax bill and collected in the same manner as the town tax and shall be paid over to the district treasurer by the collector of taxes in each town. The collector of taxes of a town in which any part of a reclamation district is situated shall have the same powers and perform the same duties relative to the collection of assessments hereunder as he has and exercises relative to the collection of town taxes. An assessment made hereunder shall be a lien upon the land of the proprietor assessed therefor; provided, that the provisions of section two of chapter eighty with respect to the filing of a description, plan and estimate are complied with by the commissioners or the prudential committee, as the case may be. In such case the lien shall take effect upon the recording of the description, plan and estimate and shall continue for the same length of time as a lien for an assessment made under said chapter eighty. The provisions of said chapter eighty as to interest shall apply to assessments made hereunder.

Assessments upon proprietors, collection, etc.

Assessment to be lien, etc. Proviso.

Lien, when to take effect, etc.

Section 12. If sections one to seven, inclusive, have been complied with, and payment of the expense of the improvements has been arranged under section nine or ten, the commissioners shall carry out said improvements in such manner as the board may approve. The commissioners may employ suitable persons to perform the work under their direction. So far as may be necessary to effect the improvements as approved by the board, the commissioners may take on behalf of the district, in the

Commissioners to carry out improvements, when, etc.

May take lands, etc.

Recovery of damages.	manner provided by chapter seventy-nine, lands, easements and rights in lands, if the improvements are for a public use, and may purchase and convey real and personal property both within and beyond the limits of the commonwealth. Any person damaged in his property by any action under this or the following section may recover his damages from the district in the manner provided by said chapter seventy-nine and such damages shall constitute a part of the total expense of the improvements.
Commissioners may open flood gates, etc.	<i>Section 13.</i> If the commissioners find it necessary or expedient to lower or raise the water to obtain a view of the land or for the more convenient or expeditious removal of obstructions, they may open the flood gates of any mill or make other needful passages through or around the dam thereof, or erect a temporary dam on the land of a person not a party to the proceedings, and may maintain such dam or passages as long as necessary for such purposes; but before so doing, they shall give to such person reasonable written notice of their intention. If such person appeals from their decision and gives reasonable written notice thereof to any commissioner, the commissioners shall suspend all proceedings upon his land until such appeal is determined; provided, that the petition therefor is entered in the superior court for the county where the greater part of the land improved lies not later than thirty days after the time of giving such notice.
Notice of intention. Appeal to suspend proceedings, etc.	<i>Section 14.</i> The commissioners shall at least once a month at such time as the board may require submit to said board the accounts and vouchers for expenses incurred in accordance with this chapter. Such accounts and vouchers shall be inspected by the board and if the board approves the same it shall forward them for payment to the county treasurer or to the state treasurer, as the case may be. Expenses for maintenance or for further improvements incurred under direction of the prudential committee of the district as provided in section fourteen A shall be paid by the district treasurer on presentation by the prudential committee of accounts and vouchers for such expenses. The commissioners appointed under section fourteen A to make further improvements shall present their accounts and vouchers to the board for approval in the same manner as the commissioners appointed under section five to make the original improvement.
Proviso.	<i>Section 14A.</i> A reclamation district organized under this chapter may from time to time at a legal meeting called for the purpose, vote to undertake further improvements within the district, to raise money by assessment to meet the expense thereof and to incur debt therefor in the manner provided by section ten. Such vote shall not be passed until after completion of the original improvements. The district may also vote to request the board to appoint commissioners to carry out the proposed further improvements. Such commissioners shall be appointed by certificate of the board as provided in section five. The district may, however, authorize its prudential committee to carry out such further improvements. The clerk of the district shall notify the board of the vote taken and the commis-
Accounts and vouchers for expenses, inspection, payment, etc.	
District may vote to undertake further improvements, etc.	
By whom to be carried out.	
Approval of plans, etc.	

sioners or prudential committee shall submit to the board within a reasonable time the plan or plans for such improvements, which shall not be undertaken until the board approves the same. The district may assess upon its members such sums as may be necessary to pay for improvements so voted and for the maintenance of all improvements made under sections one to fourteen B, inclusive, in the manner provided in section eleven for assessment of the expense of the original improvements. Such assessment shall be subject to the same provisions as the assessment authorized in said section eleven, shall be collected in the same manner and shall be paid to the treasurer of the district.

Assessments upon members, collection, etc.

Section 14B. No person obtaining an additional water power or water supply by the doing of any work contemplated by sections one to fourteen B, inclusive, shall gain a prescriptive right to the use thereof, nor be entitled to any compensation for the taking thereof under said sections by the removal of any dam or flashboards or by the changing of the height or dimensions of any dam. No water power may be developed in a reclamation district organized under this chapter except by vote of the district and approval by the board.

No prescriptive right to additional water supply, etc.

SECTION 2. Any drainage district organized under the provisions of said chapter two hundred and fifty-two, as previously existing, shall continue to be governed by such provisions and shall have the rights and powers and be subject to the duties and liabilities therein prescribed unless it shall at a meeting called for the purpose vote to dissolve, and after proper proceedings have been taken for dissolution, vote to reorganize as a reclamation district in the manner provided by this act. Such dissolution shall not relieve said district from any financial obligations previously incurred. After such reorganization the district shall be subject to the provisions of said chapter two hundred and fifty-two, as hereby amended.

No water power to be developed, except, etc.

Existing drainage districts, how to be governed, etc.

Dissolution and reorganization.

Approved May 25, 1923.

AN ACT RELATIVE TO THE PENSIONS OF FOREMEN, INSPECTORS, MECHANICS, DRAW TENDERS, ASSISTANT DRAW TENDERS AND STOREKEEPERS IN THE EMPLOY OF CERTAIN CITIES AND TOWNS.

Chap. 458

Be it enacted, etc., as follows:

SECTION 1. Paragraph (b) of section seventy-seven of chapter thirty-two of the General Laws is hereby amended by striking out, in the twenty-first, twenty-second and twenty-third lines, the words "or has accepted chapter one hundred and seventy-nine of the acts of nineteen hundred and twenty", and by striking out, in the twenty-sixth line, the word "four" and inserting in place thereof the word: — five, — so that said paragraph will read as follows: — (b) In any such city or town which accepts this paragraph by the city council or by the voters at a town meeting, "laborer" shall include foremen, inspectors, mechanics, draw tenders, assistant draw tenders and storekeepers, but no such person shall receive a pension of more than five hundred dollars a year.

G. L. 32, § 77, par. (b), amended.

Pensions of foremen, inspectors, mechanics, draw tenders and assistants, and storekeepers in employ of certain cities and towns.

Maximum
amount of
pension, etc.

SECTION 2. In any city or town which has accepted chapter one hundred and seventy-nine of the acts of nineteen hundred and twenty or which shall have accepted paragraph (b) of section seventy-seven of chapter thirty-two of the General Laws prior to the time this act takes effect, the maximum amount of pension permitted thereunder to a foreman, inspector, mechanic, draw tender, assistant draw tender or storekeeper shall, notwithstanding the passage of this act, be four hundred dollars a year, unless said city or town thereafter accepts said paragraph (b).

Approved May 25, 1923.

Chap. 459

AN ACT RELATIVE TO THE MILITIA.

Be it enacted, etc., as follows:

G. L. 33, § 86,
etc. sub-sect.
(b), amended.

SECTION 1. Section eighty-six of chapter thirty-three of the General Laws, as amended by section two of chapter three hundred and fifty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out sub-section (b) and inserting in place thereof the following: — (b) Except when ordered on duty under section twenty-nine or thirty, the state judge advocate shall receive a salary of fifteen hundred dollars; and shall examine and report in writing on all proceedings of courts-martial requiring the action of the commander-in-chief and, in matters referred to him by law or by the commander-in-chief, shall be the legal adviser of the militia department of the commonwealth and shall bring all necessary actions. He shall perform such other duty as the commander-in-chief may direct.

State judge
advocate, sal-
ary, duties,
etc.

G. L. 33, § 100,
amended.

SECTION 2. Said chapter thirty-three is hereby further amended by striking out section one hundred and inserting in place thereof the following: — *Section 100.* The term of office of general officers of the line shall be five years from the date of appointment, and such officers shall be ineligible for reappointment in the same grade. The time during which such an officer is in the service of the United States shall be excluded from, and shall be in addition to, the term of office herein specified.

General officers
of the line in
militia, term
of office, etc.

G. L. 33, § 145,
sub-sect. (a),
amended.

SECTION 3. Section one hundred and forty-five of said chapter thirty-three is hereby amended by striking out sub-section (a) and inserting in place thereof the following: — *Section 145.* (a) Division and brigade commanders may, six times in each year, call meetings for instruction of their staff officers, including attached departmental officers, field officers, adjutants, and captains of unattached companies of their commands, at some convenient place within the limits of their divisions or brigades, or at such place as the commander-in-chief may designate. The commanding officer of each regiment, separate battalion or squadron, or of such other organization as may be designated by the commander-in-chief, or of the first corps of cadets, may call similar meetings of the officers and non-commissioned officers of his command, including attached departmental officers, six times in each year. No compensation shall be allowed for attendance at such meetings, but the officers and noncommissioned officers attending such meetings shall be

Meetings of
officers and
non-commissioned
officers
of militia for
instruction.

No compensa-
tion.

provided with the necessary transportation, at the rates established by law, when the distance traveled exceeds five miles.

Transportation allowance.

SECTION 4. Said chapter thirty-three is hereby further amended by striking out section one hundred and forty-six and inserting in place thereof the following: — *Section 146.* Division and brigade commanders may visit the headquarters and companies of their commands whenever they deem it necessary for military instruction. The commanding officer of each regiment, separate battalion or squadron, or of such other organization as may be designated by the commander-in-chief, or of the first corps of cadets, may visit the companies in his command six times each year; field and staff officers, such companies as they are ordered to visit by commanders of regiments, separate battalions or squadrons, or of such other organizations as may be designated by the commander-in-chief, six times each year; brigade staff officers, including attached departmental officers, when ordered so to do by their commanding officers, may visit each company in their brigade once in each year. The senior ordnance officer may visit competitions of company teams in regimental, battalion, squadron and corps competitions, and competitions of regimental, battalion, squadron and corps teams in state matches. Mileage for such visits shall be allowed on receipt of returns therefor at the rate of six cents a mile each way, the distance being computed by the line of the most direct railway communication from the residence of the officers, or by such route as may be approved by the commander-in-chief.

G. L. 33, § 146, amended.

Visits by commanding officers, etc., of militia.

Mileage allowed.

SECTION 5. Section one hundred and fifty-one of said chapter thirty-three is hereby amended by striking out sub-section (a) and inserting in place thereof the following: — *Section 151.* (a) There shall be allowed and paid per diem to officers of the land forces, on rolls and accounts kept in such form as the commander-in-chief may prescribe, for the duty prescribed by sections twenty-one, twenty-nine, thirty and one hundred and thirty-five, the same per diem pay as is received by officers of the National Guard, when in federal service.

G. L. 33, § 151, sub-sect. (a), amended.

Pay of militia officers, etc.

SECTION 6. Section one hundred and fifty-two of said chapter thirty-three is hereby amended by adding at the end thereof the following new paragraph: — (c) All claims for injury to private property occasioned by members of the volunteer militia, while in the performance of duty under the provisions of section twenty-one, twenty-nine, thirty or one hundred and thirty-five, shall be inquired into by a board of three officers appointed by the commander-in-chief. The board shall have the same power to take evidence, administer oaths, issue subpoenas and compel witnesses to attend and testify and produce books and papers, and to punish their failure to do so, as is possessed by a general court-martial. The findings of the board shall be subject to the approval of the commander-in-chief. The amount found due to the owner of the property by the said board, to the extent that its findings are approved by the commander-in-chief, shall be paid from the fund established by the following section.

G. L. 33, § 152, amended.

Claims for injury to private property by militia, investigation, payment, etc.

SECTION 7. Section one hundred and fifty-seven of said chapter thirty-three, as affected by section one of chapter four

G. L. 33, § 157, etc., par. (a), amended.

Allowance for travel, etc., to officers and soldiers of militia.

hundred and forty-five of the acts of nineteen hundred and twenty-two, is hereby amended by striking out paragraph (a) and inserting in place thereof the following: — *Section 157.* (a) There shall be allowed and paid to each officer and soldier required to travel on duty, as follows: under sections twenty-one, twenty-nine, thirty and one hundred and thirty-five, mileage at the rates established by law computed by the most direct railroad communication from the place where the headquarters of the various commands and the armories of the companies are situated and return, or by such route as may be approved by the commander-in-chief; and when upon duty as a member or judge advocate of any military court or board, or as a witness or defendant before such court or board, when attending meetings of officers and noncommissioned officers, as provided in section one hundred and forty-five; when acting as a paymaster, and in any case when obliged by orders of the commander-in-chief to travel without troops, — six cents a mile each way, computed by the most direct railroad communication from the residence of the officer or soldier, or by such route as may be approved by the commander-in-chief.

G. L. 33, § 160, etc., amended.

SECTION 8. Said chapter thirty-three, as amended in section one hundred and sixty by section two of chapter four hundred and forty-five of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section one hundred and sixty and inserting in place thereof the following: — *Section 160.* There shall annually be allowed and paid, under such regulations as may be promulgated by the commander-in-chief, for postage, printing, stationery, care of property, equipment, military expense, including clerical assistance: to each division and brigade headquarters, one hundred and fifty dollars; to each regimental headquarters, twelve hundred dollars, and fifty dollars for every company in the command; to each separate battalion or squadron, and to each other organization designated by the commander-in-chief, and to the first corps of cadets, one hundred and fifty dollars for each company therein; and to each company, five hundred dollars, and two dollars for each enlisted man attached thereto or enrolled therein, not exceeding the maximum enlisted strength allowed by law.

G. L. 33, § 161, amended.

Allowance for repair, etc., of uniforms and incidental military expenses.

SECTION 9. Said chapter thirty-three is hereby further amended by striking out section one hundred and sixty-one and inserting in place thereof the following: — *Section 161.* There shall annually be allowed and paid, under such regulations as may be promulgated by the commander-in-chief, to each headquarters, department, corps and company, and to each other unit designated by the commander-in-chief, the sum of two dollars for each enlisted man, excepting bandsmen not mustered, attached thereto or enrolled therein, not exceeding the maximum enlisted strength allowed by law, the amount so paid to be expended in the repair and alteration of uniforms, or in defraying the incidental military expenses of the several organizations.

G. L. 33, new section after § 35.

SECTION 10. Said chapter thirty-three is hereby further amended by inserting after section thirty-five the following new section: — *Section 35A.* Upon the termination of any service

of the land or naval forces at the call of the sheriff of a county, the mayor of a city or the selectmen of a town, under the seven preceding sections, the adjutant general shall certify to the state treasurer the expense of said service, and the state treasurer shall thereupon assess said expense upon any such city or town as an addition to its share of the state tax next to be assessed, or shall collect said expense from the treasurer of any such county, as the case may be.

Expense of militia service at call of sheriff, mayor or selectmen, payment, etc.

SECTION 11. Said chapter thirty-three is hereby further amended by striking out sub-section (a) of section one hundred and seventy-six and inserting in place thereof the following: —

G. L. 33, § 176, sub-sect. (a), amended.

(a) All processes and sentences of said courts shall be executed by an officer qualified to serve criminal process, and commitment under said sentences may be made to any jail or house of correction in the commonwealth. The master or keeper of the jail or house of correction to which a person is sentenced shall receive and detain him in the same manner as if he had been sentenced by a civil court sitting in the county where such jail or house of correction is situated. The necessary charges shall be paid by the commonwealth on duplicate vouchers to be submitted to the adjutant general. *Approved May 25, 1923.*

Processes and sentences of courts-martial, how executed, etc.

AN ACT PROVIDING THAT SCHOOL TEACHERS IN THE CITY OF BOSTON SHALL RECEIVE EQUAL PAY FOR THE SAME KIND AND GRADE OF SERVICE, IRRESPECTIVE OF SEX.

Chap. 460

Be it enacted, etc., as follows:

SECTION 1. In the establishment of salaries for school teachers in the city of Boston there shall be no discrimination based on sex, but principals and teachers rendering the same kind and grade of service shall receive equal pay. This act shall not prevent any reasonable classification based upon length of service.

Boston school teachers to receive equal pay for same kind and grade of service, irrespective of sex.

SECTION 2. This act shall be submitted to the voters of the city of Boston at the municipal election in December of the current year in the form of the following question to be placed upon the official ballot: — "Shall an act passed by the general court in the year nineteen hundred and twenty-three entitled 'An Act providing that school teachers in the city of Boston shall receive equal pay for the same kind and grade of service, irrespective of sex' be accepted?" If a majority of the voters voting thereon vote in the affirmative, this act shall take effect beginning with the fiscal year ending January thirty-first, nineteen hundred and twenty-five, but not otherwise.

To be submitted to voters of Boston.

Approved May 25, 1923.

AN ACT AUTHORIZING THE TOWN OF DEERFIELD TO BORROW MONEY FOR SCHOOL PURPOSES.

Chap. 461

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing or otherwise acquiring land and constructing thereon a high school, and providing for the original equipment and furnishing of said school,

Town of Deerfield may borrow money for school purposes.

Deerfield
School Loan,
Act of 1923.

the town of Deerfield may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue notes or bonds therefor, which shall bear on their face the words, Deerfield School Loan, Act of 1923. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1923.

Chap. 462 AN ACT RELATIVE TO THE BUILDING LAWS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1907, 550, § 1,
etc., amended.

SECTION 1. Section one of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section one of chapter seven hundred and four of the acts of nineteen hundred and thirteen, is hereby further amended by striking out the seventh and eighth paragraphs and inserting in place thereof the following two paragraphs: — All permits issued by the commissioner shall be on printed forms approved by him. The commissioner shall issue rules and regulations governing the tearing down of buildings. Permits granted for building operations may be revoked by the commissioner if work is not commenced thereunder within six months from the date of the permit. Applications for permits for building operations upon which permits have not been granted within a period of six months from the date of the filing of the same shall become void.

Permits by
Boston build-
ing commis-
sioner, forms,
revocation, etc.

Applications,
when void.

Commissioner
may order work
without per-
mit, etc.,
stopped.

If the commissioner finds that work is being done without a permit or that the terms of a permit already granted are being violated he may, after notice mailed to the owner doing or causing the work to be done, order the whole or any part of such work stopped, and such work shall not be resumed until the commissioner has issued a permit or given his written approval for the continuance of such work.

1907, 550, § 4,
etc., amended.

SECTION 2. Section four of said chapter five hundred and fifty, as amended by section one of chapter two hundred and five of the acts of nineteen hundred and fourteen and by section one of chapter one hundred and fifty-five of the Special Acts of nineteen hundred and nineteen, is hereby further amended by striking out the first paragraph and inserting in place thereof the following: — *Section 4.* The commissioner, or one of his inspectors, shall inspect every building or other structure or anything attached to or connected therewith which he has reason to believe is not provided with sufficient means of egress in case of fire satisfactory to the commissioner, exists in violation of any provision of this act or is unsafe or dangerous to life, limb, or adjoining buildings, and if he finds it not provided with sufficient means of egress in case of fire satisfactory to the commissioner, or to exist in violation of any provision of this act, or unsafe or dangerous, he shall forthwith order sufficient means of egress to be provided or that the provisions of this act be complied with.

Boston building
laws.
Inspection of
buildings be-
lieved to be un-
safe, etc.

Orders for suf-
ficient means
of egress, etc.,
service, etc.

Such order shall be served on the owner or agent or any person having an interest in such building, or on the administrator, executor or trustee of such owner, by leaving an attested copy thereof in hand or at his last and usual place of abode, if known, otherwise by posting an attested copy of such order in a conspicuous place upon the external walls of such building. The commissioner may affix to any such building by posting in a conspicuous place upon its external walls a notice of its dangerous condition or of its condition as a fire-trap or of its being a common nuisance within the provisions of this act. The notice shall not be removed or defaced without his consent.

Notice on buildings as to dangerous condition, etc.

SECTION 3. Said chapter five hundred and fifty, as amended in section five by section two of chapter two hundred and five of the acts of nineteen hundred and fourteen, by section two of chapter one hundred and fifty-five of the Special Acts of nineteen hundred and nineteen and by section one of chapter ninety-one of the acts of nineteen hundred and twenty, is hereby further amended by striking out said section five and inserting in place thereof the following: — *Section 5.* The person notified as provided in the preceding section shall provide sufficient means of egress in case of fire satisfactory to the building commissioner, or shall comply with the provision of this act which is being violated, or shall secure or remove said building, structure, attachment or connection forthwith. If the public safety so requires, the commissioner, with the approval of the mayor, may at once enter the building or other structure which he finds unsafe or dangerous, the land on which it stands or the abutting land or buildings, with such assistance as he may require, and secure or remove the same, and may erect such protection for the public by proper fence or otherwise as may be necessary, and for this purpose may close a public highway. The expense incurred thereby may be recovered of the owner thereof in an action in contract.

1907, 550, § 5, etc., amended.

Removal, etc., of dangerous buildings, etc.

Entry, removal, etc., by building commissioner.

Before beginning the removal of any building or other structure, the building commissioner shall give notice by mail to the owner of his right to the material upon request. If the owner claims the material, he shall at once so notify the commissioner in writing and shall remove the same within ten days after the building or structure is taken down, and if he fails to do so the building commissioner may dispose of the material.

Notice as to owners' right to materials of buildings, etc., to be removed.

SECTION 4. Section eight of said chapter five hundred and fifty, as amended by section one of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen and by section one of chapter two hundred and sixty-six of the acts of nineteen hundred and twenty, is hereby further amended by striking out the sixth paragraph and inserting in place thereof the following: — Any requirement necessary for the strength or stability of any existing or proposed structure or for the safety of the occupants thereof, not specifically covered by this act, shall be determined by the commissioner, subject to appeal.

1907, 550, § 8, etc., amended.

Certain safety requirements by building commissioner.

SECTION 5. Section ten of said chapter five hundred and fifty, as amended by section two of chapter three hundred and fifty-

1907, 550, § 10, etc., amended.

Boston building
laws not to ap-
ply to certain
structures.

two of the Special Acts of nineteen hundred and fifteen and by section one of chapter sixty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the first paragraph and inserting in place thereof the following: — *Section 10.* The provisions of this act shall not apply to public highway and railway bridges, quays, or wharves, nor to buildings belonging to and occupied by the United States, the commonwealth, Suffolk county, nor to railroad stations, nor to portable or permanent school buildings erected and maintained by the schoolhouse department except as provided in section seventeen of this act and amendments thereof or additions thereto nor to voting booths erected and maintained by the board of election commissioners.

1907, 550, § 11,
etc., amended.

SECTION 6. Section eleven of said chapter five hundred and fifty, as amended by section three of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the first subparagraph and inserting in place thereof the following: — *First Class Building.* A first class building shall consist of fireproof material throughout, with floors and roofs constructed of iron, steel or reinforced concrete beams, filled in between with terra cotta or other masonry arches or with concrete or reinforced concrete slabs; wood may be used only for under and upper floors, windows and door frames, sashes, doors, interior finish, hand rails for stairs, necessary sleepers bedded in concrete, and for isolated furrings bedded in mortar. There shall be no air space between the top of any floor arches and the floor boarding.

Definitions.
First Class
Building.

Story of a
Building.

By striking out the twelfth sub-paragraph and inserting in place thereof the following: — *Story of a Building.* That part of a building between the top of any floor level and the top of the floor or roof level next above.

Basement.

By striking out the thirteenth sub-paragraph and inserting in place thereof the following: — *Basement.* That part of a building not more than forty per cent nor less than thirty-five per cent of which is below the mean grade of the curb of the principal street upon which the building abuts, or if it does not abut upon a street, then below the mean grade of the land adjoining the building. When the building abuts on two or more streets the commissioner shall determine which is the principal street.

Cellar.

By striking out the fourteenth sub-paragraph and inserting in place thereof the following: — *Cellar.* When there is a basement, that part or parts of a building below the basement. When there is no basement, that part of a building more than forty per cent of which is below the mean grade of the curb of the principal street upon which the building abuts, or if it does not abut upon a street, then more than forty per cent below the mean grade of the land adjoining the building. When the building abuts on two or more streets the commissioner shall determine which is the principal street. And by adding at the end thereof the following two new sub-paragraphs: — *The Number of Stories of a Building.* The number of stories of a building shall be the greatest number of stories which a building is in height above the curb of the street of lowest

The Number
of Stories of a
Building.

grade upon which the building abuts or if it does not abut on a street, above the lowest grade of ground adjoining the building. First Story of a Building. The first story of a building is the first story more than sixty-five per cent of the height of which is above the mean grade of the curb of the principal street upon which the building abuts or if it does not abut upon a street, the first story of a building, more than sixty-five per cent of the height of which is above the mean grade of the land adjoining the building. Where there is a basement, that story next above the basement shall be the first story of a building. Where there is a cellar and no basement that story next above the cellar shall be the first story of a building. When the building abuts on two or more streets the commissioner shall determine which is the principal street.

First Story of a Building.

SECTION 7. Section twelve of said chapter five hundred and fifty, as amended by section one of chapter three hundred and sixty-nine of the acts of nineteen hundred and twelve, by section two of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen and by section one of chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the fourth paragraph, and by striking out the ninth paragraph and inserting in place thereof the following:—All chimneys of masonry construction shall have walls at least eight inches thick, or be constructed of four-inch brick walls with a suitable flue lining. Steel stacks shall be permissible under such conditions as the commissioner shall prescribe.

1907, 550, § 12, etc., amended.

Chimneys of masonry construction.

Steel stacks.

By striking out the eleventh paragraph and inserting in place thereof the following:—In every first and second class building or when the entire building could be built of third class construction, all of the outside finish shall be of incombustible materials, except window and door frames and finish about show windows. Where store fronts are carried up more than one story the columns and lintels shall be of, or finished with, incombustible materials; but in no case shall store fronts be carried more than two stories, unless the same are constructed and finished throughout with fireproof material, except window and door frames. And by striking out the fifteenth paragraph and inserting in place thereof the following:—All walls, piers and columns acting as supports below the first floor of all buildings hereafter built shall be of masonry or metal except that in one or two family frame dwellings the exterior walls of basement or cellar stories may be constructed of wood providing the sills are not more than two feet above the surrounding ground. In all buildings hereafter erected, where outside means of egress are to be constructed, the building commissioner may order, when he deems it necessary, all the window openings in the same to be protected by metal frames and sash and wire glass, and all doors leading to such outside means of egress and the frames of the same to be of metal or metal covered. If doors are glazed, they shall be glazed of wire glass. Every kitchen, kitchenette or room used or adapted to be used for cooking purposes, either by coal, electric, gas or oil stoves, in

Outside finish to be of incombustible materials, except, etc.

Store fronts.

Supporting walls, piers, etc., below first floor to be of masonry or metal, except, etc.

Protection of window openings, etc.

Kitchens, etc., size, lighting, ventilation, etc.

every building hereafter erected, remodelled or enlarged, shall be not less than six feet in the least dimension, and shall have a floor area of not less than forty-eight square feet. Every such kitchen, kitchenette or room to be used or adapted to be used for cooking purposes shall be lighted and ventilated by window openings in an external wall direct to the open air, or if such kitchen, kitchenette or room is of not more than seventy square feet in area upon a vent shaft, as defined in section forty-two, with no opening from any toilet room into said vent shaft, and such window openings shall equal in size in the aggregate to at least one eighth of the area of the floor of such room. When gas, coal or oil stove ovens, broilers or water heaters are connected to a ventilating flue, the flue shall be constructed of brick walls not less than eight inches thick, or with walls four inches thick lined with terra-cotta flue lining at least one inch thick. The building commissioner may order the basements of any mercantile building hereafter erected to be provided with a system of automatic sprinklers, approved by him as to location, arrangement, and efficiency when not otherwise so required by law. Any alteration shall conform to the requirements of this act for new buildings only to the extent of the alteration made.

Ventilating
flues, con-
struction, etc.

Automatic
sprinklers in
basements of
mercantile
buildings.

Requirements
for alterations.

1907, 550, § 13,
etc., amended.

SECTION 8. Section thirteen of said chapter five hundred and fifty, as amended by section three of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section three of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, by chapter two hundred and seventy-seven of the Special Acts of nineteen hundred and sixteen and by chapter one hundred and four of the Special Acts of nineteen hundred and eighteen, is hereby further amended, by striking out the first paragraph and inserting in place thereof the following:—No alteration or repair of a wooden building within the building limits shall be made without a permit from the commissioner, and no permit to increase the height or ground area of such a building shall be granted, nor shall a permit for alteration or repairs be granted if the estimated cost of the proposed alteration or repairs exceeds one half of the fair value of the building at the time of the proposed alteration or repair, nor shall the total cost of all alterations or repairs hereafter made exceed one half of the fair valuation of the building at the time of the proposed alteration or repair.

Permits for al-
teration, etc.,
of certain
wooden build-
ings, granting,
restrictions, etc.

By striking out, in the first line, of the second paragraph, the word "outside" and inserting in place thereof the words:—within or without,—and adding at the end of the paragraph the words:—Nothing in this section shall be deemed to prohibit the moving of wooden buildings within the building limits if the permits for moving have been granted by the building commissioner prior to June first, nineteen hundred and twenty-three,—so that said paragraph will read as follows:—No wooden building, within or without the building limits, shall be moved to any position within the building limits. Nothing in this section shall be deemed to prohibit the moving of wooden buildings within the building limits if the permits for moving

Moving of
wooden build-
ings restricted,
etc.

have been granted by the building commissioner prior to June first, nineteen hundred and twenty-three.

By inserting in the first line of the ninth paragraph after the word "except" the word: — wooden, — and by adding at the end of said paragraph the words: — and wooden floors carrying tile or concrete for finish or bricknogging in wood stud partitions, — so that said paragraph will read as follows: — No masonry shall rest upon wood, except wooden piles and mud sills and wooden floors carrying tile or concrete for finish or bricknogging in wood stud partitions.

No masonry to rest upon wood, except, etc.

By adding at the end of the twelfth paragraph the words: — unless the floor is made safe with fire resisting material satisfactory to the building commissioner, — so that said paragraph will read as follows: — No furnace or boiler for heating shall be placed upon a wooden floor unless the floor is made safe with fire resisting material satisfactory to the building commissioner.

Heating apparatus not to be placed upon wooden floor unless, etc.

By inserting in the first line of the sixteenth paragraph after the word "constructed" the words: — or maintained, — so that said paragraph will read as follows: — No closet of any kind shall be constructed or maintained under any staircase leading from the cellar or basement to the first story.

No closets under cellar staircases.

By striking out the twentieth paragraph and inserting in place thereof the following: — No material other than brick, tile, slate, metal, asbestos shingles, or slag, shall hereafter be used to cover or roof any building, or the tops, sides and outsides of the frames of any dormer window, or any other projection of the roof of any building, except wooden cornices on wooden frame buildings; but on flat roofs composition of asbestos and asphalt or tar and gravel may be used, or such other composition of fire-resisting roofing as the commissioner may authorize. Asphalt shingles may also be used; provided, that each package of shingles is inspected and labelled and that the shingles are made and laid in conformity with the regulations promulgated by the Underwriters' Laboratories as modified from time to time by said Laboratories; and provided, further, that within the lines at present constituting the building limits of the city of Boston such asphalt shingles may be used only on buildings of third class construction, and that they shall not be used within the building limits of said city as they existed prior to September twenty-second, nineteen hundred and thirteen. Nothing in this section shall be construed to prohibit the use of materials approved by the commissioner for repairing any roof now covered with wooden shingles or to prohibit covering with such approved materials the roofs of buildings less than sixteen feet in height; provided, that the building is not altered in height or otherwise generally reconstructed. And by adding at the end of the twenty-first paragraph the words: — or approved metal covered frames and sash, — so that said paragraph will read as follows: — No part of any first or second class building hereafter erected, except the eaves and cornices, shall be nearer than five feet to the line of any adjoining lot on any side on which such building has any opening in the outer wall thereof unless all such openings are protected by wire

Materials used to cover or roof buildings, etc., regulated.

Asphalt shingles. Provisos.

Use of certain approved materials to repair roofs, etc., not prohibited.

Proviso.

Requirements if certain buildings are nearer than five feet to line of adjoining lot, etc.

glass set in metal frames and sash or approved metal covered frames and sash.

1907, 550, § 14,
etc., amended.

SECTION 9. Section fourteen of said chapter five hundred and fifty, as amended by section four of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the twenty-seventh paragraph and inserting in place thereof the following: — *Inspection of Concrete.* — The commissioner may require an applicant for a permit for the structural use of concrete or other similar aggregate materials to have a competent inspector, satisfactory to the commissioner, at all times on the work while such materials are being mixed or deposited, and such materials shall be mixed and deposited in a manner approved by the commissioner. The inspector shall make daily reports to the commissioner on the progress of the work.

Inspection of
concrete.

1907, 550, § 16,
etc., amended.

SECTION 10. Section sixteen of said chapter five hundred and fifty, as amended by section six of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the second paragraph and inserting in place thereof the following: — *General Requirements.* — No metal thinner than one fourth of an inch shall be used except for fillers or beams and channel webs; provided, that sheet metal, structural steel, and other structural shapes thinner than one fourth inch forming a part of the construction of stairs, skylights and roof houses, may be used in all buildings under such restrictions as the commissioner may prescribe. Connections shall be riveted or bolted and designed to develop the full strength of the member under the conditions of loading, even though the computed stress is less.

General re-
quirements.
Use of thin
metal, etc.
Proviso.

Connections to
be riveted, etc.

1907, 550, § 18,
amended.

SECTION 11. Said chapter five hundred and fifty is hereby amended by striking out section eighteen and inserting in place thereof the following: — *Section 18.* No building, structure or part thereof shall be erected or altered to a greater height than two and one half times the effective width of the street or streets upon which the building or structure stands, and not exceeding one hundred and fifty-five feet in height in any case.

Height of
buildings.

Effective width
of streets, how
measured, etc.

The effective width of such street or streets shall be measured from the face of the proposed building or structure to the lawfully established line of the street on the opposite side. If the street is of uneven width the width shall be the average width between the proposed building or structure and the lawfully established line of the street on the opposite side. The measurements shall be taken from the extreme ends of the face of the building and a point at the center, said measurements to be made at street level.

Height of
buildings set
back from
street, etc.

Whenever an effective width of a street is increased by an area or setback from the street, the building so set back may be increased in height to two and one half times the effective width of the street, not exceeding one hundred and fifty-five feet in height in any case.

Height, etc., of
certain build-
ings on a nar-
rower street
near its in-

Along a narrower street near its intersection with a wider street any building or any part of a building fronting on the narrower street, within one hundred feet from the side of the

wider street, shall be governed by the height and roof setback regulations provided for the wider street. A corner building on such intersecting streets shall be governed by the height and roof setback regulations provided for the wider street for one hundred and fifty feet from the side of such wider street measured along such narrower street. Beyond such points such corner building shall be governed by the height and roof setback regulations provided for the narrower street. On streets less than forty feet in width the same height regulations shall be applied as on streets forty feet in width.

tersection with a wider street, etc.

On streets less than forty feet in width.

Nothing in this section however shall prohibit the erection or alteration of any building, structure or part thereof to a height greater than two and one half times the width of the street or streets upon which the building or structure stands but not exceeding one hundred and fifty-five feet in any case, if the external wall of a height greater than two and one half times the width of such street shall be set back from the vertical face of the building in the ratio of one foot horizontally for each two and one half feet vertically.

Height may exceed two and one half times width of street if external wall of excessive height shall be set back, etc.

Nothing in this act shall authorize the erection or alteration of a building to a height greater than that authorized by existing law, or by existing ordinances, rules, regulations or orders, within the district or districts designated "B" by the commission on height of buildings in the city of Boston, under authority of chapter three hundred and thirty-three of the acts of nineteen hundred and four, chapter three hundred and eighty-three of the acts of nineteen hundred and five and chapter three hundred and thirty-three of the Special Acts of nineteen hundred and fifteen, and any acts in amendment thereof or in addition thereto, or within the territory as to which special limitations were imposed by chapter four hundred and fifty-two of the acts of eighteen hundred and ninety-eight, as limited by chapter four hundred and fifty-five of the acts of nineteen hundred and twenty, chapter five hundred and forty-three of the acts of nineteen hundred and two, chapter four hundred and fifty-seven of the acts of eighteen hundred and ninety-nine, or chapter four hundred and sixteen of the acts of nineteen hundred and seven, or to a height greater than that limited in any restrictions lawfully imposed by the park commissioners of said city.

Height of buildings to be subject to limitations, restrictions, etc., in certain existing laws, ordinances, etc.

SECTION 12. Section twenty-one of said chapter five hundred and fifty, as amended by section nine of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by inserting after the word "feet" in the twenty-third line the following new sentence: — A light wall shall be known as that wall or walls of a building not in excess of one story and not exceeding twenty feet in height, — so that the second paragraph of said section will read as follows: — A detached column or pier footing supported by piling shall rest upon not less than three piles, but column or pier footings supported by proper and permanent masonry or steel construction which provides lateral support in all directions may each rest upon a single pile if the allowable load per pile is not exceeded. Light wall foundations may be supported by a single

1907, 550, § 21, etc., amended.

Piling for columns, pier footings, light wall foundations, etc.

Proviso.

row of piles: *provided*, that the length of wall unsupported laterally by proper masonry or steel construction does not exceed ten feet. A light wall shall be known as that wall or walls of a building not in excess of one story and not exceeding twenty feet in height. All other foundation walls requiring piling shall rest upon at least two rows of piles, the rows to be at least two feet on centres for buildings up to thirty feet in height. For buildings exceeding thirty feet in height, if not more than two rows of piles are used, the rows shall be spread not less than three feet on centres.

1907, 550, § 23,
etc., amended.

SECTION 13. Section twenty-three of said chapter five hundred and fifty, as amended by section eleven of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the twelfth paragraph and inserting in place thereof the following: — Hollow block walls shall have the same minimum thickness as is required for brick walls, but shall not be used for exterior walls in buildings over three stories high nor in party walls over two stories high. Solid unreinforced concrete walls shall have the same minimum thickness as required for brick walls. Reinforced concrete walls shall be of the thickness and construction required by the commissioner, subject to the requirements of section fifteen and all acts in amendment thereof and in addition thereto. Hollow terra-cotta building blocks may be used in external and bearing walls other than party walls for buildings not over four stories high.

Hollow block
walls, concrete
walls, etc.,
thickness, use,
etc.

1907, 550, § 27,
amended.

SECTION 14. Section twenty-seven of said chapter five hundred and fifty is hereby amended by striking out the second paragraph thereof and inserting in place thereof the following: — All party walls of skeleton construction shall have curtain walls of solid brick, not less than twelve inches thick in buildings over two stories high.

Party walls of
skeleton con-
struction, etc.

1907, 550, § 31,
amended.

SECTION 15. Section thirty-one of said chapter five hundred and fifty is hereby amended by striking out, in the ninth and tenth lines, the words “a writing signed by the fire commissioner, and filed with”, — so as to read as follows: — *Section 31.* Openings for doorways in party walls shall not exceed one hundred square feet each in area, and each opening shall have two sets of fire doors separated by the thickness of the wall, hung in a manner satisfactory to the commissioner, except that the aggregate width of all openings in any story shall not exceed fifty per cent of the length of the wall in which such openings occur. Openings, not exceeding one hundred and forty-four square inches, constructed and protected as shall be approved by the commissioner, may be permitted in any wall or floor.

Openings for
doorways in
party walls.

1907, 550, § 32,
etc., amended.

SECTION 16. Section thirty-two of said chapter five hundred and fifty, as amended by section five of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section thirteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen and by section two of chapter sixty of the acts of nineteen hundred and twenty-one, is hereby further amended by adding at the end of the fourth paragraph thereof the words: — except that for

isolated columns on the exterior of one story buildings fire protection may be omitted, — so that said paragraph will read as follows: — About isolated columns on the exterior of buildings, the thickness of protection may be reduced to one inch, when the same is covered with an outer shell of cast iron or steel, except that for isolated columns on the exterior of one story buildings fire protection may be omitted. And by striking out sub-paragraph (c) of the eighth paragraph and inserting in place thereof the following: — Lintels under stone or brick unless over ten feet span.

Thickness of fire protection.

Fire protection as to lintels.

SECTION 17. Section thirty-five of said chapter five hundred and fifty, as amended by section three of chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the second paragraph and inserting in place thereof the following: — The first story or basement, or both the first story and basement of second and third class buildings may be used for mercantile purposes; provided, that the walls and ceiling surrounding the mercantile portion are fire stopped as follows: The ceilings and exterior or party walls are to be wire lathed and cement plastered with three coats of cement plaster. The partitions surrounding the mercantile portion are to be fire stopped full height between the studs with brick, terra-cotta, or gypsum laid in cement and covered on both sides with metal lath and cement plaster three coat work. Any openings in these surrounding partitions are to be protected by metal covered self-closing doors. And by inserting after the word “wall” in the fourth line of the tenth paragraph the words: — or lot line, — by inserting after the word “wall” in the sixth line the words: — or lot line, — and by inserting after the word “wall” in the seventh line the words: — or lot line, — and by adding at the end of said paragraph the words: — as above provided, — so that said paragraph will read as follows: — Every living room in a building adapted for habitation shall have a window on the open air of an area not less than ten square feet and distant in a three story building not less than six feet from any opposite wall or lot line; distant in a four story building not less than eight feet from any opposite wall or lot line; distant in a five story building not less than ten feet from any opposite wall or lot line. This shall not apply to the construction of third class buildings, except the provision for a window on the open air of an area as above provided.

1907, 550, § 35, etc., amended.

Use of first story and basement for mercantile purposes. Proviso.

Living rooms to have window on open air of area, etc.

SECTION 18. Section thirty-six of said chapter five hundred and fifty, as amended by chapter five hundred and ninety-five of the acts of nineteen hundred and fourteen and by section sixteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the fifth paragraph and inserting in place thereof the following: — No use or occupation of a building or part of a building for a purpose other than that for which it was originally built and designed to be used, and no change in the use or occupation of a building or part thereof which will increase the floor load beyond the capacity prescribed for such use and occu-

1907, 550, § 36, etc., amended.

Permits for change in use of buildings, etc.

pation shall be made unless, upon application therefor, the commissioner shall issue a permit on condition that the proposed use will not endanger the safety of the building or the health or the safety of the occupants thereof.

1907, 550, § 37,
amended.

Protection of
party wall
openings in
mercantile, etc.,
buildings.

Shutters.

SECTION 19. Section thirty-seven of said chapter five hundred and fifty is hereby amended by striking out, in the fifth line the words "and shall be", so as to read as follows:—
Section 37. In all first or second class mercantile or manufacturing buildings over thirty feet in height, outside openings in party walls, or in any rear or side wall within twenty feet of an opposite wall or building, shall have metal frames and sashes glazed with wire glass or shall be protected by shutters. Such shutters shall be covered on both sides with tin or shall be made of other substantial fireproof material, and hung on the outside, either upon independent metal frames or upon metal hinges attached to the masonry, and shall be made to be handled from the outside, and one such shutter in each room shall have a protected hand-hold eight inches in diameter.

1907, 550, § 39,
etc., amended.

Wooden build-
ings. Under-
pinning.

Framing.

SECTION 20. Section thirty-nine of said chapter five hundred and fifty, as amended by section seven of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen and by section seventeen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the second paragraph and inserting in place thereof the following:—*Underpinning.*—Every such wooden building hereafter erected or enlarged, the sills of which do not rest directly upon a foundation as above described but on an underpinning, shall have such underpinning made of brick, stone, concrete, concrete or terracotta blocks, and the underpinning, if of brick, concrete, concrete or terracotta blocks, shall be at least eight inches thick, and if of stone shall be at least sixteen inches thick. And by striking out the third paragraph and inserting in place thereof the following:—*Framing.*—Every wooden building hereafter erected or enlarged shall have all its parts of sufficient strength for their purposes; shall be built with posts, sills and girts, not smaller than four by six inches, or with ledger boards; shall have no studs more than twenty inches on centres for buildings more than one story high, with all angles between partitions, or between partitions and walls, blocked strongly, giving what is known as "blocked corners"; shall have every post securely braced; shall have all spaces back of all ledger boards tightly filled with at least two inch furring cut in between studs; and shall have all posts and girts properly mortised, tenoned, and pinned in each story, and if ledger boards are used, they shall be at least one inch by six inches gained full size into posts and studs, all other parts of frame to be securely nailed or pinned together.

1907, 550, § 40,
etc., amended.

SECTION 21. Section forty of said chapter five hundred and fifty, as amended by section two of chapter seven hundred and four of the acts of nineteen hundred and thirteen and by section one of chapter two hundred and forty-eight and section eight of chapter seven hundred and eighty-two of the acts of nineteen

hundred and fourteen, is hereby further amended by striking out the third paragraph and inserting in place thereof the following:— Wooden buildings erected for purposes other than habitation shall not be situated within five feet of the lot lines unless the side wall on such lines be of brick or concrete carried above the roof at least twelve inches and capped with a metallic covering, all openings in such outer walls shall be protected by wire glass set in metal frames and sash. If built on land of the same owner the buildings shall be not nearer than ten feet to any other building, eaves and cornices excepted, unless wall on side toward the lot line or adjoining building is constructed as a brick or concrete wall not less than eight inches thick and carried twelve inches above the roof with all openings therein protected by wire glass set in metal frames and sash. No wooden building shall be moved, increased in area or altered to be nearer than five feet to the lot lines or ten feet to any other wooden building on land of the same owner.

Situation, as to lot lines, etc., of wooden buildings erected for other than habitation purposes.

SECTION 22. Said chapter five hundred and fifty of the acts of nineteen hundred and seven is hereby amended by striking out section eighty-one and inserting in place thereof the following:— *Section 81.* Nothing in this act shall be construed to prohibit the use of any part of a theatre building for stores, offices or for habitation, provided that the parts so used for a theatre shall be built with exits to the street entirely distinct from the rest of the building and shall be separated from the rest of the building by solid partition walls and floors, walls not to be less than twelve inches in thickness, without any openings in the same.

1907, 550, § 81, amended.

Stores, etc., in theatre buildings.
Proviso.

SECTION 23. Section eighty-six of said chapter five hundred and fifty is hereby amended by striking out the third paragraph and inserting in place thereof the following:— Illuminating fixtures and glass on illuminating fixtures over the auditorium shall be suspended and secured in a manner approved by the fire commissioner.

1907, 550, § 86, amended.

Illuminating fixtures over auditorium of theatres.

SECTION 24. Section one hundred and five of said chapter five hundred and fifty, as amended by section one of chapter three hundred and seventy of the acts of nineteen hundred and twelve, by chapter fifty of the acts of nineteen hundred and thirteen and by section eleven of chapter sixty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the fourth line, the word "fireproof" and inserting in place thereof the words:— first class, by striking out, in the fifth line, the word "throughout", by striking out, in the seventh line, the word "adjacent" and inserting in place thereof the word:— principal,— by inserting after the word "street" in the same line the words:— upon which it abuts or of the adjoining land,— so that the first paragraph will read as follows:— Every building hereafter erected with a hall or assembly-room to contain a public audience of more than eight hundred persons, or with more than one superimposed gallery or balcony, shall be of first class construction; except that halls or assembly-rooms, the mean level of the main floor of which is not more than five feet above the grade of the principal street

1907, 550, § 105, etc., amended.

Certain places of public assembly to be of first class construction, except, etc.

Certain places of public assembly to be of first class construction throughout.

1907, 550, § 122, amended.

Leaders.

1907, 550, § 125, etc., amended.

Conditions for maintaining furnaces, boilers, etc.

1905, 383, § 4, etc., amended.

Building height limitations, etc., not to apply to churches, steeples, etc., except, etc.

upon which it abuts or of the adjoining land, may have roofs of second class construction. And by striking out the second paragraph and inserting in place thereof the following: — Every building hereafter erected with a hall or assembly-room to contain an audience of more than six hundred persons, the main floor of which is raised more than fifteen feet above the level of the curb of the principal street upon which it abuts or of the adjoining land, shall be of first class construction throughout.

SECTION 25. Section one hundred and twenty-two of said chapter five hundred and fifty is hereby amended by adding at the end thereof the following new paragraph: — All buildings shall have leaders sufficient to discharge the roof water in such a manner as not to flow upon any public way or any neighboring property. Such leaders may project into a public way not over seven inches.

SECTION 26. Section one hundred and twenty-five of said chapter five hundred and fifty, as affected by chapter one hundred and forty-eight of the General Laws, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following: — The commissioner may, from time to time, after public notice and hearing, prescribe the conditions on which furnaces, boilers, or other steam generators and hot water heaters may be maintained in buildings, and, if any person interested objects to such conditions and appeals from his decision establishing the same, the appeal shall be referred to the board of appeal, and thereupon said board shall prescribe the conditions.

SECTION 27. Section four of chapter three hundred and eighty-three of the acts of nineteen hundred and five, as amended by chapter one hundred and fifty-six of the Special Acts of nineteen hundred and nineteen and by chapter one hundred and seventy-four of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the fifth line, the words “not used for purposes of habitation” and inserting in place thereof the words: — , nor shall such portions of buildings be occupied, — and by striking out all of the first paragraph after the word “signs” in the eighth line and inserting in place thereof the words: — and roof houses except as otherwise prohibited by law, — so that the first paragraph of said section will read as follows: — *Section 4.* No limitations of the height of buildings, or of the roofs thereof, in the city of Boston shall apply to churches, steeples, towers, domes, cupolas, arched or vaulted roofs, belfries or statuary, nor shall such portions of buildings be occupied, nor to chimneys, gas holders, coal or grain elevators, open balustrades, skylights, ventilators, flag-staffs, railings, weather vanes, soil pipes, steam exhausts, signs, and roof houses except as otherwise prohibited by law.

SECTION 28. This act shall take effect upon its passage.

Approved May 25, 1923.

AN ACT AUTHORIZING THE CITY OF WORCESTER TO PAY CERTAIN CLAIMS FOR PERSONAL INJURIES CAUSED BY ITS FIRE APPARATUS. *Chap. 463*

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester may pay to Frank H. Slayton, administrator of the estate of Fanny W. Read, who died from injuries caused by its fire apparatus on January twenty-third, nineteen hundred and twenty-two, in consequence of the want of due care in the management of said apparatus, a sum not exceeding twelve hundred dollars, and to Mary M. Moyse, for injuries so caused, a sum not exceeding three hundred dollars. The receipt of payment as aforesaid by said parties shall discharge the said city from all liability for the said injuries and death.

City of Worcester may pay certain claims for personal injuries caused by its fire apparatus.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved May 25, 1923.

AN ACT AMENDING CERTAIN PROVISIONS OF LAW RELATIVE TO THE OPERATION OF MOTOR VEHICLES. *Chap. 464*

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter ninety of the General Laws is hereby amended by striking out all after the word "registrar" in the seventh line down to and including the word "public" in the ninth line, by striking out all after the word "cycle" in the eleventh line down to and including the word "operator" in the eighteenth line and by striking out, in the forty-sixth line, the words "other than a chauffeur", so as to read as follows: — *Section 1.* The following words used in this chapter shall have the following meanings, unless a different meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intention of the legislature:

G. L. 90, § 1, amended.

Definitions under motor vehicle laws.

"Application", an application by mail or otherwise to the registrar or any agent designated by him for the purpose, upon a blank provided by the registrar, and with which is deposited the fee provided in section thirty-three.

"Application".

"Automobile", any motor vehicle except a motor cycle.

"Automobile".

"Dealer", any person who is engaged principally in the business of buying, selling or exchanging motor vehicles.

"Dealer".

"Division", the division of highways of the department of public works, acting officially as a board.

"Division".

"Garage", any place where five or more motor vehicles are stored or housed at any one time for pay, except only such places in which motor vehicles are kept by the owners thereof without payment for storage.

"Garage".

"Intersecting way", any way which joins another at an angle, whether or not it crosses the other.

"Intersecting way".

- "Motor cycle". "Motor cycle", any motor vehicle having but two or three wheels in contact with the ground, and a saddle on which the driver sits astride, or a platform on which he stands, or any bicycle having a motor attached thereto and a driving wheel or wheels in contact with the ground in addition to the wheels of the bicycle itself.
- "Motor vehicles". "Motor vehicles", automobiles, motor cycles and all other vehicles propelled by power other than muscular power, except railroad and railway cars and motor vehicles running only upon rails or tracks, ambulances, fire engines and apparatus, police patrol wagons and other vehicles used by the police department of any city or town or park board solely for the official business of such department or board, road rollers and street sprinklers.
- "Non-resident". "Non-resident", any resident of any state or country who has no regular place of abode or business in the commonwealth for a period of more than thirty days in the year.
- "Number-plate". "Number plate", the sign or marker furnished by the registrar on which is displayed the register number or mark of a motor vehicle assigned to such motor vehicle by the registrar.
- "Operator". "Operator", any person who operates a motor vehicle.
- "Persons". "Persons", wherever used in connection with the registration of a motor vehicle, all persons who own or control such vehicles as owners, or for the purpose of sale, or for renting, as agents, salesmen or otherwise.
- "Police officer" or "officer". "Police officer" or "officer", any constable or other officer authorized to make arrest or serve process, provided he is in uniform or displays his badge of office.
- "Register number". "Register number", the number or mark assigned by the registrar to a motor vehicle, whether or not such number or mark includes a letter or letters; and said number or mark, except on motor cycles, shall always be in separate Arabic numerals at least four inches in height, with strokes not less than one half of an inch in width.
- "Registrar". "Registrar", the registrar of motor vehicles.
- "Thickly settled or business district". "Thickly settled or business district", the territory contiguous to any way which is built up with structures devoted to business, or the territory contiguous to any way where the dwelling houses are situated at such distances as will average less than two hundred feet between them for a distance of a quarter of a mile or over.
- "Trailer". "Trailer", a vehicle used for carrying passengers for hire or commodities in connection with commerce and having no motive power of its own, but which is drawn by a motor vehicle. It shall not include a pair of wheels commonly used as an implement for other purposes than transportation.
- "Way". "Way", any public highway, private way laid out under authority of statute, way dedicated to public use, or way under the control of park commissioners or body having like powers.

G. L. 90, § 5,
etc., amended.

SECTION 2. Said chapter ninety, as amended in section five by section two of chapter three hundred and three of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section five and inserting in place thereof the following:— *Section 5.* Every manufacturer of or dealer

in motor vehicles or trailers, every manufacturer of or dealer in motor vehicle bodies and tops and every person engaged in the business of repairing motor vehicles, instead of registering each such vehicle owned or controlled by him, may make application for a general distinguishing number or mark, and the registrar, if satisfied of the facts stated in the application, may issue to the applicant a certificate of registration containing the name and business address of the applicant and the general distinguishing number or mark assigned to him, and made in such form and containing such further information as the registrar may determine; and all motor vehicles or trailers owned or controlled by such manufacturer of or dealer in motor vehicles or trailers, by such manufacturer of or dealer in motor vehicle bodies and tops or by persons engaged in the business of repairing motor vehicles shall be regarded as registered under such general distinguishing number or mark until sold or let for hire or loaned for a period of more than five successive days; provided that number plates furnished as hereinafter provided are properly displayed thereon. The registrar shall furnish at his office without charge to every manufacturer of or dealer in automobiles or trailers whose vehicles are registered in accordance with this section three pairs, and to every dealer in motor cycles whose vehicles are registered in accordance with this section five pairs, of number plates of suitable design having displayed upon them the register number which is assigned to the motor vehicles of such manufacturer or dealer, with a different letter or letters or mark on each pair of number plates; and to every manufacturer of or dealer in motor vehicle bodies or tops or person engaged in the business of repairing motor vehicles one pair of number plates of suitable design having displayed upon them the distinguishing number or mark assigned to him. Number plates furnished hereunder shall, except as provided by section nine, be valid only for the year for which they are issued. Every registration under this section shall expire at midnight on December thirty-first in each year.

SECTION 3. Section eight of said chapter ninety, as amended by section one of chapter four hundred and three of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out all after the word "vehicle" in the twenty-first line down to and including the word "age" in the twenty-third line, by striking out, in the twenty-third line, the word "also", by striking out, in the thirtieth line, the words "and chauffeurs" and by adding at the end thereof the following: — Every application filed under this section shall be sworn to by the applicant before a justice of the peace or notary public, — so as to read as follows: — *Section 8.* Application for license to operate motor vehicles may be made by any person; but before such a license is granted the applicant shall pass such examination as to his qualifications as the registrar shall require, and no license shall be issued until the registrar or his authorized agent is satisfied that the applicant is a proper person to receive it, and no such license shall be issued to any person under sixteen years of age. To each licensee shall be assigned some distinguishing number

Registration of motor vehicles, etc., by manufacturers of or dealers in motor vehicles, trailers, motor vehicle bodies and tops and by motor vehicle repairers.

Proviso.

Number plates, furnishing to manufacturers, dealers, etc.

Duration of validity.

Expiration of registration.

G. L. 90, § 8, etc., amended.

License to operate motor vehicles, application for, examination, etc.

Minimum age of licensee, etc.

Special restrictions and limitations.	or mark, and the licenses issued shall be in such form as the registrar shall determine. They may contain special restrictions and limitations concerning the type of motor, horse power, design and other features of the motor vehicles which the licensee may operate. They shall contain the distinguishing number or mark assigned to the licensee, his name, place of residence and address, a brief description of him for purposes of identification, and such other information as the registrar shall deem necessary. A person to whom a license to operate motor vehicles has been issued, unless such license contains a special limitation or restriction, may operate any registered motor vehicle. Special licenses shall be issued to operators of motor-propelled fire apparatus who are members of a municipal fire department. Every person licensed to operate motor vehicles as aforesaid shall endorse his usual signature on the margin of the license, in the space provided for the purpose, immediately upon the receipt of said license, and such license shall not be valid until so endorsed. All licenses issued to operators shall be valid for one year only from the date of issue. Every application filed under this section shall be sworn to by the applicant before a justice of the peace or notary public.
Contents of licenses.	
Licensees may operate any registered motor vehicle, unless, etc.	
Special licenses for operators of motor-propelled fire apparatus.	
Licenses valid for one year.	
Applications to be sworn to.	
G. L. 90, § 10, amended.	SECTION 4. Section ten of said chapter ninety is hereby amended by striking out, in the fourth and fifth lines and in the eighth line, the words "chauffeur or", by striking out, in the eleventh line, the words "chauffeurs and" and by striking out all after the word "registrar" in the twenty-eighth line down to and including the word "do" in the thirtieth line, — so as to read as follows: — <i>Section 10.</i> No person shall operate a motor vehicle upon any way unless licensed under this chapter, except as is otherwise herein provided; but this section shall not prevent the operation of motor vehicles by unlicensed persons if riding with or accompanied by a licensed operator, excepting only persons who have been licensed and whose licenses are not in force because of revocation or suspension, persons whose right to operate has been suspended by the registrar, and persons less than sixteen years of age; but such licensed operator shall be liable for the violation of any provision of this chapter, or of any regulation made in accordance herewith, committed by such unlicensed operator; provided, that the examiners of operators, in the employ of the registrar, when engaged in their official duty, shall not be liable for the acts of any person who is being examined. During the period within which a motor vehicle of a non-resident may be operated on the ways of the commonwealth in accordance with section three, such vehicle may be operated by its owner or by his chauffeur or employee without a license from the registrar if the operator is duly licensed under the laws of the state in which he resides, or has complied fully with the laws of the state of his residence respecting the licensing of operators of motor vehicles; but if any such non-resident or his chauffeur or employee be convicted by any court or trial justice of violating any provision of the laws of the commonwealth relating to motor vehicles or to the operation thereof, whether or not he appeals, he shall be thereafter subject to and required
Unlicensed persons not to operate motor vehicles, except, etc.	
Proviso.	
Operators of motor vehicles of non-residents.	

to comply with all the provisions of this chapter relating to the registration of motor vehicles owned by residents of the commonwealth and the licensing of the operators thereof. A record of the trial shall be sent forthwith by the court or trial justice to the registrar. This section shall apply to the operation of all vehicles propelled by power other than muscular power, except railroad and railway cars, road rollers, and motor vehicles running only upon rails or tracks.

Application of section.

SECTION 5. Section twelve of said chapter ninety is hereby amended by striking out, in the second line, the word "specially", so as to read as follows: — *Section 12.* No person shall employ for hire as a chauffeur any person not licensed in accordance with this chapter. No person shall allow a motor vehicle owned by him or under his control to be operated by any person who has no legal right so to do, or in violation of this chapter.

G. L. 90, § 12, amended.

Unlicensed persons as chauffeurs forbidden, etc.

SECTION 6. Section twenty-two of said chapter ninety is hereby amended by striking out, in the fourth and eleventh lines, the words "or chauffeur", so as to read as follows: — *Section 22.* The registrar may suspend or revoke any certificate of registration or any license issued under this chapter, after due hearing, for any cause which he may deem sufficient, and he may suspend the license of any operator or the certificate of registration of any motor cycle in his discretion and without a hearing, and may order the license or registration certificate to be delivered to him, whenever he has reason to believe that the holder thereof is an improper or incompetent person to operate motor vehicles, or is operating improperly or so as to endanger the public; and neither the certificate of registration nor the license shall be reissued unless, upon examination or investigation, or after a hearing, the registrar determines that the operator should again be permitted to operate. The registrar, under the same conditions and for the same causes, may also suspend the right of any person to operate motor vehicles in the commonwealth under section ten until he shall have received a license from the registrar.

G. L. 90, § 22, amended.

Suspension or revocation of certificates of registration, licenses, etc.

SECTION 7. Section twenty-nine of said chapter ninety is hereby amended by striking out, in the thirty-seventh and thirty-eighth lines, the words "or chauffeur", so that the last sentence will read as follows: — No operator whose license is revoked under this section shall be licensed again within six months after the date of the suspension, nor thereafter except in the discretion of the registrar.

G. L. 90, § 29, amended.

Renewal of operators' licenses revoked for accidents, etc.

SECTION 8. Section thirty of said chapter ninety is hereby amended by inserting after the word "originals" in the eighth line the following new sentence: — Certified copies of such records of the registrar, attested by the registrar or his authorized agent, shall be admissible as evidence in any court of the commonwealth to prove the facts contained therein, — so as to read as follows: — *Section 30.* A proper record of all applications and of all certificates and licenses issued shall be kept by the registrar at his main office, and such records shall be open to the inspection of any person during reasonable business hours.

G. L. 90, § 30, amended.

Records of registrar of motor vehicles, inspection, etc.

Certified copies. The registrar may issue a certified copy, attested by him or his authorized agent, of any certificate of registration or of any license to operate motor vehicles which may have been lost or mutilated, upon the written request of the person entitled thereto; and such certified copies shall have the same force and effect as the originals. Certified copies of such records of the registrar, attested by the registrar or his authorized agent, shall be admissible as evidence in any court of the commonwealth to prove the facts contained therein. The registrar may destroy applications under this chapter and copies of the licenses and certificates of registration issued by him, and all letters reporting accidents or papers relating thereto, excepting those of the then current year and the year next preceding. He may destroy or dispose of any obsolete number plates and forms which, in his opinion, are no longer of any value to the commonwealth, and may destroy examination papers or the answers given by the applicants for licenses when the same have become of no value or when the licenses applied for have been granted. He may also destroy all records of convictions of persons charged with violation of the laws relating to motor vehicles unless such convictions are final convictions under section twenty-four, excepting those of the then current year and the two years next preceding.

G. L. 90, § 33,
etc., amended.

Motor vehicle
fees.

SECTION 9. Said chapter ninety, as amended in section thirty-three by section two of chapter four hundred and three of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section thirty-three and inserting in place thereof the following:—*Section 33.* The registrar or his authorized agents shall collect fees as follows:

For the registration of every motor cycle, five dollars.

For the registration of every motor truck owned by a city or town in the commonwealth, and used solely for municipal business, two dollars.

For the registration of every other motor truck, and of every trailer and commercial motor vehicle used solely as such, a fee based on carrying capacity according to the following schedule:

Capacity of one ton or less	\$10
Capacity of two tons and over one ton	20
Capacity of three tons and over two tons	30
Capacity of four tons and over three tons	40
Capacity of five tons and over four tons	50

For any capacity over five tons, fifty dollars for the first five tons and an additional amount of ten dollars for each additional ton or part thereof.

For all trailers equipped with non-resilient metal tires, double the above fees shall be collected, and for electric motor trucks and electric commercial vehicles used solely as such, and for all trailers equipped with pneumatic or resilient metal tires, one half of the above fees shall be collected.

For the registration of every automobile according to the following schedule:

Less than thirty horse power, ten dollars.

Thirty or more, but less than forty horse power, fifteen dol- Motor vehicle fees.
lars.

Forty or more, but less than fifty horse power, twenty dollars.

Fifty horse power and above, twenty-five dollars.

For the registration of the motor vehicles or trailers owned by or under the control of a manufacturer of or dealer in motor vehicles or trailers, if such person operates upon the public ways not more than three automobiles, thirty dollars and ten dollars for every automobile in excess of three so operated up to and including ten and two dollars for every automobile in excess of ten so operated.

For the registration of the motor cycles owned by or under the control of a manufacturer of or dealer in motor cycles who does not manufacture or deal in automobiles, including five pairs of number plates to be furnished with the certificate of registration, ten dollars.

For the registration of motor vehicles owned by or under the control of a manufacturer of or dealer in motor vehicle bodies or tops or a person engaged in the business of repairing motor vehicles, including one pair of number plates to be furnished with the certificate of registration, twenty-five dollars, and for every such additional registration, including number plates, twenty dollars.

For the registration of every motor vehicle owned by a non-resident who applies for registration under section three, and for the registration of every motor vehicle or trailer, by an owner, and of the motor vehicles owned by or under the control of a manufacturer of or dealer in motor vehicles, a manufacturer of or dealer in motor vehicle bodies or tops or a person engaged in the business of repairing motor vehicles, who applies therefor during the period beginning with the first day of October and ending on the thirty-first day of December in any year, in accordance with section two or section five, one half of the foregoing fees.

For the registration of every motor vehicle owned by a non-resident residing within fifteen miles of the boundary of the commonwealth, under section four, two dollars.

For the substitution of the registration of an automobile for that of a vehicle previously registered, in accordance with section two, two dollars.

For the substitution of the registration of a motor cycle for that of a motor cycle previously registered, in accordance with section two, one dollar.

For every license to operate motor vehicles or any renewal thereof, two dollars, but no fee shall be collected for the renewal of a special license to operate motor-propelled fire apparatus.

For every examination given to an applicant for a license or for the renewal of a license to operate motor vehicles, two dollars.

For every additional copy of a certificate of registration or license, one dollar.

For every certified copy of any application or notice filed with the registrar and for every certified copy of a certificate of registration or license, one dollar.

Motor vehicle
fees.

For every additional number plate furnished to replace such plates as have been lost or mutilated or are illegible, and for every additional motor cycle number plate furnished to a manufacturer of or dealer in motor cycles whose business requires more than five pairs of such plates, one dollar.

Registrar may
furnish without
charge copies,
etc., to cer-
tain public
officials, etc.

The registrar or his authorized agents may however furnish without charge copies of certificates of registration and licenses to operate, and copies of other documents relating thereto, to officers of the commonwealth or of any court thereof or of a city or town therein; and the registrar may issue certificates of registration for motor vehicles and licenses to operate the same to any member of the foreign diplomatic corps without the payment of the fees therefor.

Administration
of oath to ap-
plicants, etc.

One of the employees of the registrar shall be a justice of the peace, who shall administer any oath required by this chapter without any charge therefor; and the charge by any other officer for the administration of an oath to the truth of the facts stated in an application under this chapter shall not exceed twenty-five cents.

Time of taking
effect.

SECTION 10. This act shall take effect January first, nineteen hundred and twenty-four. *Approved May 25, 1923.*

Chap. 465 AN ACT EXTENDING THE TIME FOR THE CONSTRUCTION BY THE BOSTON ELEVATED RAILWAY COMPANY OF AN UNDERGROUND STATION IN THE CITY OF EVERETT.

Be it enacted, etc., as follows:

Time extended
for construction
by Boston Ele-
vated Railway
Company of
underground
station in
Everett.

The time within which the Boston Elevated Railway Company is required to begin the construction of an underground station in the city of Everett under the provisions of section two of chapter three hundred and sixty-four of the Special Acts of nineteen hundred and seventeen is hereby extended until the thirty-first day of December, nineteen hundred and twenty-four.

Approved May 25, 1923.

Chap. 466 AN ACT AUTHORIZING THE CITY OF BROCKTON TO PAY A SUM OF MONEY TO THE PARENTS OF ELMER WHITE.

Be it enacted, etc., as follows:

City of Brock-
ton may pay
money to par-
ents of Elmer
White.

SECTION 1. The city of Brockton may pay a sum of money, not exceeding one thousand dollars to Arthur M. White and Marion H. White, parents of Elmer White, a minor, who was killed August twentieth, nineteen hundred and eighteen, by the police automobile of said city, in consequence of the lack of due care in the operation of said automobile.

To be sub-
mitted to city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 25, 1923.

AN ACT RELATIVE TO THE COMMITMENT OF INSANE PERSONS TO THE BRIDGEWATER STATE HOSPITAL, AND TO THE TRANSFER OR DISCHARGE OF INMATES THEREOF. *Chap. 467*

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public peace, safety and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and twenty-three of the General Laws is hereby amended by inserting after section twenty-two the following new section: — *Section 22A*. The department shall, subject to all provisions of law now or hereafter in effect, have the same supervision over the commitment of insane persons to the Bridgewater state hospital as it has over the commitment of insane persons to other state hospitals under the provisions of this chapter; it shall have the same authority to discharge or transfer inmates of said Bridgewater state hospital who are not under sentence, or whose sentences have expired, as it has to discharge or transfer inmates of other state hospitals. In construing this section a maximum and minimum sentence shall be held to have expired at the end of the minimum term, and an indeterminate sentence, at the end of the maximum period fixed by law. But the said Bridgewater state hospital shall remain under the jurisdiction of the department of correction and the control of the superintendent of the state farm. Nothing herein contained shall be construed as conferring on the department of mental diseases any authority to change or vary, except as herein provided, the decree or order of a court having competent jurisdiction.

G. L. 123, new section after § 22.
Authority of department of mental diseases as to commitments, transfers, etc., to and from Bridgewater state hospital.

Expiration of sentences.

Hospital to remain under present jurisdiction and control.
Certain authority not conferred on department, etc.

SECTION 2. Section one hundred of said chapter one hundred and twenty-three is hereby amended by inserting after the word "hospital" in the sixth line the words: — or to the Bridgewater state hospital, — and also by inserting after the word "limitations" in the same line the words: —, subject to the provisions of section one hundred and five, — so as to read as follows: — *Section 100*. If a person under complaint or indictment for any crime is, at the time appointed for trial or sentence, or at any time prior thereto, found by the court to be insane or in such mental condition that his commitment to an institution for the insane is necessary for his proper care or observation pending the determination of his insanity, the court may commit him to a state hospital or to the Bridgewater state hospital under such limitations, subject to the provisions of section one hundred and five as it may order. The court may in its discretion employ one or more experts in insanity, or other physicians qualified as provided in section fifty-three, to examine the defendant, and all reasonable expenses incurred shall be audited and paid as in the case of other court expenses. A copy of the complaint or indictment and of the medical certificates attested by the clerk shall be delivered with such person in ac-

G. L. 123, § 100, amended.

Commitment to state hospitals, so-called, or to Bridgewater state hospital of persons under indictment.

cordance with section fifty-three. If reconveyed to jail or custody under section one hundred and five, he shall be held in accordance with the terms of the process by which he was originally committed or confined.

G. L. 123, § 101,
amended.

Commitment
of persons ac-
quitted of
murder, etc.,
by reason of
insanity.

SECTION 3. Section one hundred and one of said chapter one hundred and twenty-three is hereby amended by inserting after the word "hospital" in the third line the words:— or to the Bridgewater state hospital,— so as to read as follows:— *Section 101.* If a person indicted for murder or manslaughter is acquitted by the jury by reason of insanity, the court shall order him to be committed to a state hospital or to the Bridgewater state hospital during his natural life. The governor, with the advice and consent of the council, may discharge such a person therefrom when he is satisfied after an investigation by the department that such discharge will not cause danger to others.

G. L. 123, § 105,
amended.

Reconveyance
to jail, etc., of
prisoners re-
stored to
sanity.

SECTION 4. Section one hundred and five of said chapter one hundred and twenty-three is hereby amended by inserting after the word "four" in the third line the words:—, or of the commissioner of correction and the superintendent of the state farm when the removal has been made to the Bridgewater state hospital,— so as to read as follows:— *Section 105.* When in the opinion of the trustees and superintendent of the state hospital to which a prisoner has been removed under section one hundred or section one hundred and four, or of the commissioner of correction and the superintendent of the state farm when the removal has been made to the Bridgewater state hospital, the prisoner is restored to sanity, they shall so certify upon the commitment, and notice accompanied by a written statement regarding the mental condition of the prisoner shall be given to the keeper or master of the jail or house of correction, the superintendent of the prison, or to the person having custody of him at the time of the removal, who shall thereupon cause the prisoner to be reconveyed to the jail, house of correction, prison, or custody from which he was removed.

Approved May 25, 1923.

Chap. 468 AN ACT RELATIVE TO THE APPLICATION OF CERTAIN LOANS
BY THE CITY OF MEDFORD.

Be it enacted, etc., as follows:

City of Med-
ford may ap-
ply certain
loans for con-
structing, etc.,
a city hall.

SECTION 1. The city of Medford is hereby authorized to apply the proceeds of loans issued under authority of chapter four hundred and eighty-six of the acts of nineteen hundred and thirteen and of chapter two hundred and sixty-five of the Special Acts of nineteen hundred and seventeen for the purpose of acquiring land for and constructing a city hall.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1923.

AN ACT TO PROVIDE FOR THE MORE PROMPT DISPOSITION OF
CRIMINAL CASES IN THE SUPERIOR COURT. Chap. 469

Be it enacted, etc., as follows:

SECTION 1. A justice of a district court, except the municipal court of the city of Boston, shall, at the written request of the chief justice of the superior court, sit in the superior court at the trial or disposition with or without a jury in any part of the commonwealth of any violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer, of any violation of the liquor law, or of any provision of section forty-four of chapter two hundred and seventy-two of the General Laws or of chapter ninety or two hundred and seventy-three of the General Laws, and during the continuance of such request shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases; provided, that no special justice of a district court shall so sit and that no justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has an interest.

Certain justices of district courts to sit in superior court at trial or disposition of certain criminal cases.

Proviso.

SECTION 2. The chief justice of the superior court may arrange for the holding of such sessions for the trial and disposition of such cases and for the attendance of such number of jurors therefor as the interests of justice and the prompt disposition of such cases may in his judgment require. Such sessions may be held simultaneously with other sessions of the superior court or at other times in the discretion of the chief justice.

Arrangement for holding such sessions, etc.

SECTION 3. When a justice of a district court sits in the superior court as above provided, the fact of his holding court and the request of the chief justice of the superior court shall be entered upon the general records of the court but need not be stated in the record of any case heard by said district court justice.

Fact of justice of district court sitting in superior court, entry upon records, etc.

SECTION 4. Justices of district courts when sitting in the superior court as herein provided shall receive from the commonwealth, in addition to their regular salaries, upon certificate of the chief justice of the superior court, the amount of expense incurred by them in the discharge of their duties in connection with such sessions. The compensation of a special justice for services in holding sessions of a district court in place of a justice of a district court while sitting in the superior court as herein provided shall be paid by the county and shall not be deducted from the salary of the district court justice so sitting in the superior court, but shall be repaid to the county by the commonwealth.

Expense allowances to justices of district courts sitting in superior court.

Compensation of special justices holding sessions of district court, etc.

SECTION 5. This act shall not be operative after July first, nineteen hundred and twenty-six. *Approved May 25, 1923.*

Chap. 470 AN ACT RELATIVE TO THE REGISTRATION OF PUBLIC ACCOUNTANTS.

Be it enacted, etc., as follows:

G. L. 13, new sections after § 32.

Board of registration of certified public accountants, establishment, qualifications of members, etc.

Membership restriction.

Appointment, etc., of successors.

Meetings.

Chairman and secretary.

Salaries and expenses.

Proviso.

G. L. 112, new sections after § 87.

Board of registration of certified public accountants, duties, etc.

Annual report.

Examinations for registration of public accountants.

Fees.

SECTION 1. Chapter thirteen of the General Laws is hereby amended by adding at the end thereof under the title, "Board of Registration of Certified Public Accountants", the following three new sections:— *Section 33.* There shall be a board of registration of certified public accountants, in the two following sections called the board, consisting of five persons, residents of the commonwealth, four of whom shall be registered certified public accountants and shall have been for seven years actively engaged in the practice of public accountancy, and one an attorney at law who has been for seven years actively engaged in the practice of law.

No member of said board shall belong to the faculty of any school of accountancy or be financially interested in the management of any such school or similar institution. Upon the expiration of the term of a member thereof, his successor, qualified as aforesaid, shall be appointed by the governor, with the advice and consent of the council, for a term of five years.

Section 34. The members of the board shall hold meetings at such time as they shall determine and shall annually choose from their own number a chairman and a secretary.

Section 35. There shall be paid by the commonwealth to the chairman and secretary a salary of one hundred and fifty dollars each and to each of the other members of the board a salary of one hundred and twenty-five dollars. Said compensation and any other expenses necessarily incurred by the board or any member thereof shall be paid by the commonwealth; provided, that such compensation and expenses shall not be in excess of the annual receipts for examination and registration paid to the commonwealth by the board.

SECTION 2. Chapter one hundred and twelve of the General Laws is hereby amended by inserting after section eighty-seven under the title, "Registration of Certified Public Accountants", the following five new sections:— *Section 87A.* The board of registration of certified public accountants, in this and the four following sections called the board, shall examine applicants for registration as certified public accountants. It shall make such rules and regulations as are necessary for the proper conduct of its duties. The board shall keep a full record of its proceedings, and a registry of all persons registered by it which shall be open to public inspection. A duplicate list shall also be open to inspection in the office of the state secretary. The board shall make an annual report.

Section 87B. The board shall examine any citizen of the United States resident in the commonwealth and not less than twenty-one years of age, who may apply for a certificate, shall investigate his character and fitness, and shall require the payment of a fee of twenty-five dollars. The fee for re-examination shall be fixed under regulations made by the board.

Section 87C. Any applicant whom the board deems to have the necessary qualifications and professional ability shall be registered as a public accountant by the board and shall receive a certificate thereof signed by the chairman and secretary of the board.

Registration and certificate thereof.

Section 87D. A public accountant, registered under the provisions of the preceding section or corresponding provisions of earlier laws, may, if the certificate issued to him under said provisions has not been suspended or revoked, style himself "Certified Public Accountant."

Registered public accountant may style himself "Certified Public Accountant".

Section 87E. No person, not registered under the provisions of section eighty-seven C or corresponding provisions of earlier laws, shall designate himself or hold himself out as a certified public accountant. No partnership unless all of its members are registered under said provisions, and no corporation, shall use the words "certified public accountant" in describing the partnership or corporation or the business thereof; provided, that any partnership or corporation may represent that a specified person registered under said provisions is a member of such partnership or is in the service of such partnership or corporation. Any violation of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

Use of words "certified public accountant" regulated.

Proviso.

Penalty.

SECTION 3. Sections thirty-five to thirty-nine inclusive, of chapter ninety-three of the General Laws, as amended by chapter three hundred and ninety-five of the acts of nineteen hundred and twenty-two, are hereby repealed.

G. L. 93, §§ 35-39, etc., repealed.

SECTION 4. The initial appointments of the members of the board of registration of certified public accountants provided for by this act shall, as soon as may be after this act takes effect, be so made by the governor, with the advice and consent of the council, that the term of one member shall expire annually. All such initial appointees shall be qualified as provided in this act.

Initial appointments of members of board of registration of certified public accountants, etc.

SECTION 5. All rules and regulations in effect at the time this act takes effect shall continue in full force until changed in accordance herewith.

Rules, etc., to continue in force, etc.

Approved May 25, 1923.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE FATHER OF JOHN L. BENAGLIA.

Chap. 471

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may pay a sum of money not exceeding five thousand dollars to Joseph Benaglia, father of John L. Benaglia, who was accidentally killed by an aeroplane at Franklin Field on June twenty-fourth, nineteen hundred and nineteen, in consequence of the failure by the city authorities to provide proper protection to the decedent at the time of the arrival and landing of said aeroplane. Such sum shall be paid in such weekly or monthly instalments as the city council may determine, and shall not be subject to assignment or attachment. Should any part of said sum remain unpaid at the decease of said Joseph Benaglia, the same may be paid

City of Boston may pay money to father of John L. Benaglia.

in the same manner and subject to the same conditions to his widow during her life.

To be sub-
mitted to city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 25, 1923.

Chap. 472 AN ACT RELATIVE TO THE DISTRIBUTION OF STATE FUNDS FOR SCHOOL PURPOSES AND TO STATE REIMBURSEMENT OF CITIES AND TOWNS FOR FORESTRY PURPOSES.

Be it enacted, etc., as follows:

G. L. 70, § 11,
etc., amended.

SECTION 1. Section eleven of chapter seventy of the General Laws, as amended by section three of chapter four hundred and twenty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the paragraph included in lines four to six, inclusive, and inserting in place thereof the following:—

Definitions un-
der laws as to
school funds.

“Valuation” shall mean the town’s valuation, as determined by the last preceding valuation made for the purpose of apportioning the state tax,—so as to read as follows:— *Section 11.* For the purposes of Part II of this chapter, the following word and phrase shall be defined as follows:—

“Valuation”.

“Valuation” shall mean the town’s valuation, as determined by the last preceding valuation made for the purpose of apportioning the state tax.

“Assured
minimum”.

“Assured minimum” shall mean the amount by which the sum of the following items for the last preceding town fiscal year exceeded the amount received by the town during said year under Part I and for the tuition of non-resident pupils, including state wards;

(1) Salaries paid to full time principals and teachers, not including any amounts by which any such salary was at a rate in excess of nine hundred and fifty dollars.

(2) Two hundred and fifty dollars for each teaching position held by a full time principal or teacher.

(3) Expenditures for transportation of pupils to the local schools.

(4) Expenditures for the tuition in, and transportation to, public elementary schools in adjoining towns.

(5) In the case of towns having over five hundred families and exempted from the requirement of maintaining a four year high school, the actual expenditures made during that year for tuition in high schools in other towns.

Computation
of “assured
minimum” to
exclude, etc.

In computing the “assured minimum”, expenditures for state-aided vocational or continuation schools or Americanization classes shall not be included.

G. L. 132, § 14,
etc., amended.

SECTION 2. Chapter one hundred and thirty-two of the General Laws, as amended in section fourteen by chapter three hundred and eleven of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section

fourteen and inserting in place thereof the following: — *Section 14.* When any city or town in which one twenty-fifth of one per cent of the valuation is more than five thousand dollars shall have expended within its limits city or town funds to an amount in excess of five thousand dollars in any one year ending November thirtieth in suppressing gypsy or brown tail moths, the commonwealth shall reimburse such city or town to the extent of fifty per cent of such excess above said five thousand dollars.

State reimbursement of cities and towns for suppression of gypsy or brown tail moths.

Cities or towns in which one twenty-fifth of one per cent of the valuation is less than five thousand dollars, and in which such valuation is greater than six million dollars, shall be reimbursed by the commonwealth to the extent of eighty per cent of the amount expended by such cities or towns of city or town funds in suppressing said moths in any one such year, in excess of said twenty-fifth of one per cent.

In towns in which the valuation is less than six million dollars, after they have expended in any one such year town funds to an amount equal to one twenty-fifth of one per cent of their valuation, the commonwealth shall expend within the limits thereof for the suppression of said moths such an amount in addition as the forester, with the advice and consent of the governor, shall determine. The commonwealth shall reimburse cities and towns every sixty days.

Expenditures by state for suppression of said moths in small towns.

No city or town shall be entitled to any reimbursement from the commonwealth until it has submitted to the comptroller itemized accounts and vouchers showing the definite amount expended by it for the purpose of suppressing said moths, nor shall any money be paid out of the state treasury to cities or towns until said vouchers and accounts have been approved by the forester and the comptroller, nor unless said expenditure shall have been duly authorized and approved by the forester or shall have been made prior to December first, nineteen hundred and twenty-two.

Accounts and vouchers by cities and towns showing expenditures for moth suppression, submission to comptroller, approval, etc.

For the purposes of this section and section sixteen, the valuation of a city or town shall mean the valuation of such city or town, as determined by the last preceding valuation made for the purpose of apportioning the state tax.

Valuation of city or town, meaning, etc.

SECTION 3. Section sixteen of said chapter one hundred and thirty-two is hereby amended by striking out, in the eighth and twelfth lines, the words "assessed valuation of real and personal property" and inserting in place thereof in each instance the word: — valuation, — so as to read as follows: — *Section 16.* When, in the opinion of the forester, any city or town is not expending a sufficient amount for the abatement of said nuisance or is not conducting the necessary work in a proper manner, the forester shall, with the advice and consent of the governor, order such city or town to expend such an amount as the forester shall deem necessary, and in accordance with such methods as the forester, with the consent of the governor, shall prescribe; provided, that no city or town where the valuation exceeds six million dollars shall be required to expend, exclusive of any reimbursement received from the commonwealth, during any one

G. L. 132, § 16, amended.

Sums to be spent by cities and towns for suppression of gypsy and brown tail moths.

Proviso.

full year more than one fifteenth of one per cent of such valuation, and that no town where the valuation is less than six million dollars shall be required to expend, exclusive of any reimbursement received from the commonwealth, during any one full year more than one twenty-fifth of one per cent of such valuation.

Approved May 25, 1923.

Chap. 473 AN ACT RELATING TO DEPOSITS WITH OTHERS THAN BANKS.

Be it enacted, etc., as follows:

G. L. 169, § 1,
amended.

Application of
laws relating
to deposits
with others
than banks.

SECTION 1. Chapter one hundred and sixty-nine of the General Laws is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* This chapter shall apply to —

First. All persons engaged or financially interested in the selling of steamship or railroad tickets for transportation to or from foreign countries, or in the supplying of laborers, who, in conjunction with said business, engage or are financially interested in the business of receiving deposits of money for safe-keeping, under whatever name or by whatever persons the said business of receiving deposits is carried on.

Second. All persons who engage or are financially interested in the business of receiving deposits of money, for the purpose of transmitting the same or equivalents thereof to foreign countries, in such sums that the average of the separate deposits so received since April first, nineteen hundred and twenty-two, or during any twelve successive months, or for such period, if less than twelve months, that such person has been engaged in such business, is less than five hundred dollars, except duly incorporated banks and trust companies, express companies having contracts with railroad or steamship companies for the operation of an express service upon the lines of such companies, or express companies doing an international express business, or transatlantic steamship companies or telegraph companies.

G. L. 169, § 2,
amended.

Certain persons
receiving de-
posits of money
for safe-keeping
to give bond,
etc.

SECTION 2. Said chapter one hundred and sixty-nine is hereby further amended by striking out section two and inserting in place thereof the following: — *Section 2.* (1) Every person subject to clause First of section one shall, before engaging or becoming financially interested or continuing to engage or be financially interested in the business of receiving deposits of money for safe-keeping, make, execute and deliver to the state treasurer a bond in a sum equal to twenty-five per cent of the largest amount of such deposits held by such person at any one time during the preceding three months, as determined by the commissioner of banks in this chapter called the commissioner, but in no event shall the sum of such bond be less than twenty-five thousand dollars. Such bond shall be conditioned upon the faithful holding and repayment of the money deposited for safe-keeping and, in the event of the insolvency or bankruptcy of the principal, upon the payment of the full amount of such bond to the assignee, receiver or trustee of the principal, as the case may require, for the benefit of such persons as shall deliver money to said principal for safe-keeping.

(2) Every person subject to clause Second of section one shall, before engaging or becoming financially interested or continuing to engage or be financially interested in the business of receiving deposits of money for the purpose of transmitting the same or equivalents thereof to foreign countries, make, execute and deliver to the state treasurer a bond in a sum equal to twice the amount of money or equivalents thereof transmitted to foreign countries by such person in any one week, as determined by the commissioner, but in no event shall the sum of the bond be less than fifteen thousand dollars. Said bond shall be conditioned

Certain persons receiving deposits of money for transmission to foreign countries to give bond, etc.

missioner at any time to such amount as shall be shown by examination to be necessary.

SECTION 3. Said chapter one hundred and sixty-nine is hereby further amended by striking out section three and inserting in place thereof the following:— *Section 3.* Except as otherwise expressly provided herein, the provisions of this section shall apply to the bonds required by paragraphs (1) and (2) of the preceding section. Each such bond shall be executed by the person of whom it is required, as principal, with at least two good and sufficient sureties who shall be residents and owners of real estate within the commonwealth or by said person as principal and a surety company, approved by the commissioner. In lieu of the aforesaid sureties, the person may deposit, and the state treasurer shall accept as security for the fulfilment of the provisions of the bond, money, bonds of the United States, of this commonwealth or of any municipality thereof, or, if approved by the commissioner, other bonds, certificates of deposit issued by a national bank or trust company, or deposit books of depositors in savings banks or in savings departments of trust companies or national banks. The money or securities so deposited shall be held upon the conditions specified in the bond. If securities be deposited in lieu of sureties and be accepted, the state treasurer shall require the depositor to maintain such deposit at a value equal to the amount fixed as the penalty of the bond, and he may in his discretion permit the substitution of securities for money, or of money for securities, in whole or in part, or of money or securities for any sureties, or of a bond for money or securities deposited, or the withdrawal of securities deposited and the substitution of others of equal value in their place, and, if the total value of the securities becomes substantially impaired, he shall require the deposit of money or additional securities sufficient to cover the impair-

G. L. 169, § 3, amended.

Bonds, by whom executed, sureties, etc.

Deposits in lieu of sureties.

full year more than one fifteenth of one per cent of such valuation, and that no town where the valuation is less than six million dollars shall be required to expend, exclusive of any reimbursement received from the commonwealth, during any one full year more than one twenty-fifth of one per cent of such valuation.

Approved May 25, 1923.

Chap. 473 AN ACT RELATING TO DEPOSITS WITH OTHERS THAN BANKS.
Be it enacted, etc., as follows:

Chapter 473, Acts of 1923.

Referendum petition filed June 20, 1923.

See page 599.

Second. All persons who engage or are financially interested in the business of receiving deposits of money, for the purpose of transmitting the same or equivalents thereof to foreign countries, in such sums that the average of the separate deposits so received since April first, nineteen hundred and twenty-two, or during any twelve successive months, or for such period, if less than twelve months, that such person has been engaged in such business, is less than five hundred dollars, except duly incorporated banks and trust companies, express companies having contracts with railroad or steamship companies for the operation of an express service upon the lines of such companies, or express companies doing an international express business, or transatlantic steamship companies or telegraph companies.

G. L. 169, § 2,
amended.

Certain persons
receiving de-
posits of money
for safe-keeping
to give bond,
etc.

SECTION 2. Said chapter one hundred and sixty-nine is hereby further amended by striking out section two and inserting in place thereof the following:— *Section 2.* (1) Every person subject to clause First of section one shall, before engaging or becoming financially interested or continuing to engage or be financially interested in the business of receiving deposits of money for safe-keeping, make, execute and deliver to the state treasurer a bond in a sum equal to twenty-five per cent of the largest amount of such deposits held by such person at any one time during the preceding three months, as determined by the commissioner of banks in this chapter called the commissioner, but in no event shall the sum of such bond be less than twenty-five thousand dollars. Such bond shall be conditioned upon the faithful holding and repayment of the money deposited for safe-keeping and, in the event of the insolvency or bankruptcy of the principal, upon the payment of the full amount of such bond to the assignee, receiver or trustee of the principal, as the case may require, for the benefit of such persons as shall deliver money to said principal for safe-keeping.

(2) Every person subject to clause Second of section one shall, before engaging or becoming financially interested or continuing to engage or be financially interested in the business of receiving deposits of money for the purpose of transmitting the same or equivalents thereof to foreign countries, make, execute and deliver to the state treasurer a bond in a sum equal to twice the amount of money or equivalents thereof transmitted to foreign countries by such person in any one week, as determined by the commissioner, but in no event shall the sum of the bond be less than fifteen thousand dollars. Said bond shall be conditioned upon the faithful holding and transmission of any money or equivalents thereof which shall be delivered to such person for transmission to a foreign country and, in the event of the insolvency or bankruptcy of the principal, upon the payment of the full amount of such bond to the assignee, receiver or trustee of the principal, as the case may require, for the benefit of such persons as shall deliver money or equivalents thereof to said principal for the purpose of transmitting the same to a foreign country.

Certain persons receiving deposits of money for transmission to foreign countries to give bond, etc.

(3) The sum of the bond required by either of the two preceding paragraphs shall be increased on order of the commissioner at any time to such amount as shall be shown by examination to be necessary.

Increase in sum of bonds.

SECTION 3. Said chapter one hundred and sixty-nine is hereby further amended by striking out section three and inserting in place thereof the following:— *Section 3.* Except as otherwise expressly provided herein, the provisions of this section shall apply to the bonds required by paragraphs (1) and (2) of the preceding section. Each such bond shall be executed by the person of whom it is required, as principal, with at least two good and sufficient sureties who shall be residents and owners of real estate within the commonwealth or by said person as principal and a surety company, approved by the commissioner. In lieu of the aforesaid sureties, the person may deposit, and the state treasurer shall accept as security for the fulfilment of the provisions of the bond, money, bonds of the United States, of this commonwealth or of any municipality thereof, or, if approved by the commissioner, other bonds, certificates of deposit issued by a national bank or trust company, or deposit books of depositors in savings banks or in savings departments of trust companies or national banks. The money or securities so deposited shall be held upon the conditions specified in the bond. If securities be deposited in lieu of sureties and be accepted, the state treasurer shall require the depositor to maintain such deposit at a value equal to the amount fixed as the penalty of the bond, and he may in his discretion permit the substitution of securities for money, or of money for securities, in whole or in part, or of money or securities for any sureties, or of a bond for money or securities deposited, or the withdrawal of securities deposited and the substitution of others of equal value in their place, and, if the total value of the securities becomes substantially impaired, he shall require the deposit of money or additional securities sufficient to cover the impair-

G. L. 169, § 3, amended.

Bonds, by whom executed, sureties, etc.

Deposits in lieu of sureties.

Examination and approval of bonds, etc.

Licenses for business of receiving deposits for safe-keeping or for transmission to foreign countries.

Annual license fee.

Not transferable, etc.
Place of business.

Posting of license.

Trust fund for benefit of depositors.

Revocation and surrender of license.

ment in value. No bond required by paragraph (1) or paragraph (2) of the preceding section shall be accepted until it has been first examined and approved by the commissioner and unless also approved by the state treasurer, and upon such approval by the state treasurer it shall be filed in his office. Upon notice of such approval by the state treasurer, the commissioner shall issue a license authorizing said person to carry on the business of receiving deposits of money for safe-keeping or for the purpose of transmitting the same or equivalents thereof to foreign countries, as the case may be, for a period of one year from the date of the issuance of the license, at a place to be specified therein, and no person shall engage or become financially interested or continue to engage or be financially interested in either of the aforesaid businesses without such authority. The license shall state the kind of business which the licensee is authorized to carry on. If authority is therein given the licensee to carry on the business of receiving deposits of money for safe-keeping or for transmitting the same or equivalents thereof to foreign countries, he shall in either case pay for such license an annual fee of fifty dollars. The license shall not be transferred or assigned. It shall not authorize the transaction of business at any place other than that described in the license, except with the written approval of the commissioner. Immediately upon the receipt of the license issued by the commissioner, the licensee named therein shall cause the license to be posted and at all times conspicuously displayed in the place of business for which it is issued, so that all persons visiting such place may readily see the same. It shall be unlawful for any licensee to post the license or to permit the license to be posted upon premises other than those described therein or those to which it has been transferred with the written approval of the commissioner, or knowingly to deface or destroy any such license. The money and securities deposited with the state treasurer as herein provided and the money which in case of breach of the bond shall be paid by any licensee or surety thereon, shall constitute a trust fund for the benefit of such persons as shall deposit money with the licensee for safe-keeping or for transmission as aforesaid, as the case may be, and such beneficiaries shall be entitled to an absolute preference as to such money or securities over all general creditors of the licensee. The license shall be revocable at all times by the commissioner for cause shown and in the event of such revocation or of a surrender of the license no refund shall be made in respect of any license fee paid. Every license shall be surrendered to the commissioner within twenty-four hours after written notice to the holder that the license has been revoked. In case of the revocation of the license the money and securities and the bond, if there be one, shall continue to be held by the state treasurer for a period of one year from the date of such revocation, unless otherwise directed by the order or judgment of a court of competent jurisdiction.

G. L. 169, § 12, amended.

SECTION 4. Said chapter one hundred and sixty-nine is hereby further amended by striking out section twelve and in-

serting in place thereof the following:—*Section 12.* Of the money held for safe-keeping by persons subject to this chapter, not less than twenty per cent shall either be held as cash on hand, or shall be deposited in savings banks, trust companies or national banks. The remaining eighty per cent of the money so held for safe-keeping shall be invested only as follows:

Investment of funds held on deposit.

First. As required by section fifty-four of chapter one hundred and sixty-eight, so far as the same may be applicable and except in so far as may otherwise be provided herein.

As required by savings bank investment law.

Second. In real estate not exceeding ten per cent of the deposits; but the amount invested in any one property, plus the total amount of the mortgages thereon, shall not exceed the assessed valuation thereof, except that a valuation made at the expense of the depository by a board or committee of investment of a savings bank or of a trust company, or by the security committee of a co-operative bank, may be taken as the value of the property for the purposes of investment as set forth in this section.

In real estate.

Third. In notes secured by mortgages of real estate not exceeding fifteen per cent of the deposits; but the amount so invested in any one note shall not exceed eighty per cent of the valuation of the real estate described in the mortgage deed securing the note, such valuation to be determined in the manner prescribed in the second subdivision of this section; nor shall such investment be made if the total of any prior mortgages on the real estate so described, plus the amount to be so invested, exceeds eighty per cent of the valuation, as aforesaid, of that real estate.

In notes secured by real estate mortgages.

Fourth. In notes which are the joint and several obligations of two or more responsible persons; provided, that the total amount so invested shall not exceed twenty per cent of the total amount held for safe-keeping.

In notes of responsible persons.
Proviso.

Fifth. In notes of responsible borrowers, with a pledge as collateral of (a) one or more chattel mortgages, (b) jewelry, (c) deposit books of depositors in savings banks or in the savings departments of trust companies or national banks, (d) accounts receivable against actual values properly secured.

In notes of responsible borrowers with pledges.

Sixth. In notes secured by mortgages of real estate not exceeding ten per cent of the deposits, where the amount named in the note is to be advanced in instalments for the construction of buildings; but the total amount so invested on the security of any one note shall never exceed eighty per cent of the assessed valuation of the land, plus the total amount of money actually paid out for materials furnished and for work performed in the construction of the buildings on said land; and the tax bill showing the last assessment, and proper evidence to the satisfaction of the commissioner that the money advanced is for actual work performed or materials supplied, shall be kept on file in the office of the depository, where they may be inspected at any time by the commissioner or his representative.

In notes secured by real estate mortgages for building construction, etc.

Seventh. In notes of persons who are depositors with the depository; but the total amount so loaned to any one person

In notes of depositors.

shall never exceed twice the amount due from the depository to the borrower.

In notes of de-
positors jointly,
etc.

Eighth. In notes which are the joint and several obligations of two or more persons, each of whom is a depository with the depository; but the amount so loaned on any one note shall not exceed twice the amount of the total due by the depository to the borrowers, and in computing this total there shall be deducted from it the balance of any outstanding financial obligations of such persons to the depository.

In bonds, etc.,
of foreign
governments.

Ninth. In the bonds or other obligations of foreign governments; but such investments must first receive the approval of the commissioner.

G. L. 169, new
section after
§ 15.

Business of sell-
ing foreign ex-
change, etc., by
certain persons
regulated.

SECTION 5. Said chapter one hundred and sixty-nine is hereby further amended by inserting after section fifteen the following new section:— *Section 15A.* No person to whom clause First of section one applies shall carry on the business of selling foreign exchange, drafts or letters of credit, or make a practice of, or be financially interested in, the selling of the same, unless he shall have complied with all the requirements of this chapter relative to persons to whom clause Second of said section applies, as well as with the requirements relative to persons to whom said clause First applies.

G. L. 169, § 16,
amended.

Penalty for vio-
lations of cer-
tain laws relat-
ing to deposits
with others
than banks.

SECTION 6. Said chapter one hundred and sixty-nine is hereby further amended by striking out section sixteen and inserting in place thereof the following:— *Section 16.* Any person engaging or becoming financially interested or continuing to engage or be financially interested in the business of receiving deposits of money for safe-keeping or the business of receiving deposits of money for the purpose of transmitting the same, or equivalents thereof, to foreign countries contrary to any provision of this chapter, and any person who otherwise violates any provision of this chapter, shall, except as otherwise provided in section nine, be punished by a fine of not less than fifty nor more than one thousand dollars or by imprisonment for not less than one month nor more than one year, or both.

G. L. 169, § 18,
amended.

Violations to
cause revoca-
tion of license,
etc.

SECTION 7. Said chapter one hundred and sixty-nine is hereby further amended by striking out section eighteen and inserting in place thereof the following:— *Section 18.* The violation of any provision of sections twelve to fifteen, inclusive, shall be sufficient cause for the revocation of any license granted hereunder to which such provision applies and shall be a violation of the condition of the bond which was pre-requisite to the issue of said license.

Approved May 25, 1923.

Chap. 474 AN ACT ESTABLISHING THE FAYVILLE FIRE AND WATER DISTRICT IN THE TOWN OF SOUTHBOROUGH.

Be it enacted, etc., as follows:

Fayville Fire
and Water
District,
established.

SECTION 1. The inhabitants of the town of Southborough residing in that part of said town, known as Fayville, and being bounded as follows:— Beginning at White's Corner running northeasterly to a point on Central street three hundred feet south of one Uhlman's house, thence easterly to a point on the

Boston road one third of a mile south from the junction of Central street, thence southerly to a point on the eastern boundary of one Slosson's property on the Ashland town line, thence southwesterly along the Ashland town line to a point on the northern boundary of one Guinasso's property on Oregon road, thence southwesterly to a point on the northern boundary of one Cederholm's property on Oregon road, thence northwesterly along Oregon road to Woodland road, thence southwesterly along Woodland road to Break Neck Hill road, thence northerly on Break Neck Hill road to White's Corner, to the point of beginning, are hereby made a body corporate under the name of the Fayville Fire and Water District, for the purpose of supplying said district with water for domestic purposes and for fire and other purposes, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein.

SECTION 2. For the purposes aforesaid, said district, acting by and through its board of commissioners hereinafter provided for, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the water of any well, pond, brook, spring or stream within the limits of the territory described in section one, subject to the approval of the department of public health; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting, storing, holding and preserving such water and conveying the same to any part of said territory. Said district may erect on the lands acquired and held under this act proper dams, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct and lay conduits, pipes and other works, over and under any lands, water courses, railroads, railways, and public or private ways, and along such ways, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, maintaining and repairing conduits, pipes and other works, and for all other proper purposes of this act, said district may dig up any such lands, and, under the direction of the selectmen of the town of Southborough, enter upon and dig up any such ways, in such manner as to cause the least hindrance to public travel thereon. The said district shall not enter upon, construct or lay any pipes, conduits or other works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such railroad corporation, or in case of failure so to agree, as may be approved by the department of public utilities. Said district may take, as a part of the water supply to which the town of Southborough is entitled under an agreement entered into with the city of Boston on February fourteenth, eighteen hundred and ninety-four, from the Sudbury reservoir of the metropolitan water system, situated in the town of Southborough, or from any available outlet leading from said

May take certain waters, etc.

May take certain lands, etc.

May erect dams, buildings, etc.

May lay conduits, pipes, etc.

Requirements for entry upon railroad locations.

May take water from Sudbury reservoir of metropolitan water system, etc.

reservoir, water to an amount not exceeding seventy-five thousand gallons per day, upon such terms and conditions as may be mutually agreed upon by the commissioners and the metropolitan district commission or in default of such agreement as may be determined by the department of public health, but such terms shall not include any charge for water used or to be used under this act.

Property
damages,
recovery, etc.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from said district under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

May issue
bonds, etc.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, the said district may borrow from time to time such sums as may be necessary, not exceeding in the aggregate one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Fayville Fire and Water District Loan, Act of 1923. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to chapter forty-four of the General Laws.

Fayville Fire
and Water
District Loan,
Act of 1923.

Payment of
loan, etc.

SECTION 5. The said district shall, at the time of authorizing the said loan or loans provide for the payment thereof in accordance with section four of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating the water works and interest as it accrues on bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall, without further vote, be assessed upon the said district by the assessors of the town of Southborough annually thereafter until the debt incurred by said loan or loans is extinguished.

Land acquired
to be managed,
etc., by com-
missioners, etc.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district.

Assessment
and collection
of taxes.

SECTION 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the town of Southborough who shall assess the same on said district in the same manner in all respects in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector who shall collect the tax in the manner provided for the collection of town taxes, and shall deposit the proceeds with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the same manner in which interest is authorized to be collected on town taxes.

First meeting,
how called, etc.

SECTION 8. A meeting of the voters of the territory included within the boundaries set forth in section one shall be called,

on petition of seven or more legal voters therein, by a warrant from the selectmen of the town of Southborough, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. One of the petitioners shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator, the question of the acceptance of this act shall be submitted to the voters, and if it shall be accepted by a majority of the voters present and voting thereon it shall take full effect, and the meeting may then proceed to act upon the other articles contained in the warrant.

Question of acceptance of act to be submitted, etc.

SECTION 9. Said district shall, at the same meeting at which this act is accepted and after such acceptance, elect by ballot a district clerk and a district treasurer, who may be the same person, to hold office until one year from the next succeeding annual meeting, and at each annual meeting after the first, their successors shall be elected by ballot for one year; and there shall also be elected by ballot three persons to hold office, one until three years, one until two years, and one until one year, from the next succeeding annual meeting, to constitute a board of commissioners. At each annual meeting after the first, one such commissioner shall be elected by ballot for three years. All officers of the district shall hold office until their successors are elected and qualified. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in the board of commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may impose by its vote. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the district treasury except upon the written order of a majority of the board.

District clerk, district treasurer and board of water commissioners, election, powers, etc.

Vacancy in board, etc.

SECTION 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be used to defray all operating expenses, interest charges and payments on principal as they become due upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it shall be used for such new construction as said commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by said commissioners except from the net surplus aforesaid, unless the district appropriates and provides money therefor. All authority vested in said commissioners by the foregoing provisions of this section shall be subject to the provisions of section nine. Said commissioners shall annually, and as often as the district may require, render to the district a report upon the condition of the works under their charge and

Commissioners to fix water rates, etc.

Net surplus, how used.

Annual, etc., report.

an account of their doings, including an account of receipts and expenditures.

Adoption of
by-laws, calling
of meetings,
etc.

To have
certain rights,
etc.

Penalty for
polluting
water, etc.

SECTION 11. Said district may adopt by-laws prescribing by whom and how meetings may be called and notified, and upon the application of seven or more legal voters in said district, meetings may also be called by warrant from a justice of the peace as provided in section eight; said district may also choose such other officers, not provided for in this act, as it may deem proper or necessary. Said district shall have all the rights and privileges conferred by law upon water districts and fire districts.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, standpipe, aqueduct, pipe or other property, owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

To be
submitted to
voters of
district, etc.

SECTION 13. This act shall take effect upon its acceptance by a majority of the voters of the district described in section one, present and voting thereon at a meeting called for the purpose within three years after its passage; but the number of meetings so called in one year shall not exceed three; and for the purpose of being submitted to the voters as aforesaid, this act shall take effect upon its passage. *Approved May 25, 1923.*

Chap.475 AN ACT AUTHORIZING THE COUNTY OF ESSEX TO PENSION FRANK S. KELLEY.

Be it enacted, etc., as follows:

County of
Essex may
pension Frank
S. Kelley.

SECTION 1. The county commissioners of the county of Essex shall, forthwith upon the acceptance of this act, retire Frank S. Kelley, for seventeen years a watchman at the house of correction in Lawrence, on an annual pension equal to one half the annual compensation received by him in said capacity at the time of his retirement, payable by said county in equal monthly instalments.

To be
submitted to
county
commissioners.

SECTION 2. This act shall take effect upon its acceptance, prior to December thirty-first in the current year, by the county commissioners of the county of Essex.

Approved May 25, 1923.

Chap.476 AN ACT GRANTING PREFERENCE UNDER THE CIVIL SERVICE TO WIDOWS REGISTERING FOR THE POSITION OF SCRUB WOMAN OR HELPER IN THE LABOR SERVICE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Preference
under civil
service to

SECTION 1. Widows of men who died while in the service of the city of Boston, who register with the department of civil

service and registration for employment as scrub women or helpers in the labor service of said city, if found qualified, shall be placed on the eligible list for the class for which they register ahead of all other applicants. All other widows who so register for such employment in said city shall, if found qualified, be placed on the eligible list ahead of all other applicants, except the class above specified. The names of widows eligible for scrub women and helpers shall be certified for labor service in said city in preference to other persons eligible, according to the method of certification prescribed by the civil service rules.

widows
registering for
position of
scrub woman
or helper in
labor service
of Boston.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1923.

AN ACT ESTABLISHING THE SALARIES OF THE MEMBERS OF THE INDUSTRIAL ACCIDENT BOARD AND THE SECRETARY OF THE DEPARTMENT OF INDUSTRIAL ACCIDENTS.

Chap. 477

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter twenty-four of the General Laws, as amended by section one of chapter five hundred and thirty-seven of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the third line, the words "five thousand" and inserting in place thereof the words:— fifty-five hundred,— and by striking out, in the fifth line, the words "fifty-five hundred" and inserting in place thereof the words:— six thousand,— so as to read as follows:— *Section 2.* The industrial accident board shall consist of seven members, one of whom shall be a woman, at salaries of fifty-five hundred dollars each, except that the chairman, who shall be designated by the governor, shall receive a salary of six thousand dollars. Upon the expiration of the term of office of a member, his successor shall be appointed for five years by the governor, with the advice and consent of the council. The members shall devote their whole time in business hours to the work of the board.

G. L. 24, § 2,
etc.,
amended.

Industrial
accident
board,
membership,
salaries,
terms, etc.

SECTION 2. Section four of said chapter twenty-four is hereby amended by striking out, in the third line, the words "forty-five hundred" and inserting in place thereof the words:— five thousand,— so as to read as follows:— *Section 4.* The salaries and expenses of the department shall be paid by the commonwealth. The department may appoint a secretary at a salary of five thousand dollars, and may remove him. It shall also be allowed such sums as may annually be appropriated by the general court for clerical service and traveling and other necessary expenses. Its records shall be kept in its office.

G. L. 24, § 4,
amended.

Department
of industrial
accidents,
salaries, etc.
Secretary,
salary, etc.
Clerical
service, etc.

SECTION 3. This act shall not take effect until an appropriation sufficient to cover the same has been made by the general court, and then as of June first in the current year.

When to take
effect.

Approved May 25, 1923.

*Chap.*478 AN ACT RELATIVE TO THE USE IN SCHOOLS AND FOR OTHER PURPOSES OF MOVING PICTURE APPARATUS ADAPTED TO STANDARD WIDTH SAFETY FILMS.

Be it enacted, etc., as follows:

G. L. 143, § 72,
amended.

Cinematographs, etc.,
use, etc.,
regulated.

Proviso.

G. L. 143, new
sections
after § 85.

Use of
cinematographs, etc., in
schools, etc.,
regulation,
special
licenses, etc.

Application
for license,
etc., by whom,
fee, etc.

SECTION 1. Section seventy-two of chapter one hundred and forty-three of the General Laws is hereby amended by striking out, in the fifth line, the words "section eighty-five" and inserting in place thereof the words: — sections eighty-five and eighty-six, — so as to read as follows: — *Section 72.* No cinematograph or similar apparatus involving the use of a combustible film more than ten inches in length, except one using only an enclosed incandescent lamp and cellulose acetate films not more than one and one quarter inches in width, shall, except as provided by sections eighty-five and eighty-six, be kept or used for the purpose of exhibiting such films in or upon the premises of a public building until such cinematograph or similar apparatus has been inspected and approved by an inspector, who shall have placed thereon a numbered metal tag; nor until a booth or enclosure, which has been inspected and approved by such an inspector and his certificate issued therefor, has been provided for said apparatus; nor until such precautions against fire as the commissioner of public safety may specify have been taken by the owner, user or exhibitor; provided, that no such apparatus shall be operated with oxyhydrogen gas, so-called, or with limelight. In addition, in Boston the location of any booth or enclosure surrounding such apparatus shall be approved by the building commissioner, who may order such additional precautions against fire as he may deem necessary.

SECTION 2. Said chapter one hundred and forty-three is hereby amended by adding at the end thereof the following three new sections: —

Section 86. Notwithstanding any of the provisions of sections seventy-two to eighty-five, inclusive, a cinematograph or similar apparatus adapted to the use of standard width films, if specifically licensed and approved by the commissioner of public safety as evidenced by a tag attached thereto by his authority, may be used as hereinafter provided, in connection with a portable projector and without a booth and subject to such further conditions and regulations as the commissioner may prescribe, for educational purposes in schools and other institutions of learning, or for business or demonstration purposes. Said cinematograph or apparatus shall be used only with cellulose acetate or equally incombustible films marked in the margin at least once in every linear foot as safe and incombustible, and tagged or marked as inspected by an inspector, and only in connection with an incandescent electric lamp of not more than six hundred watts. Such approval and license shall be granted only upon the written application, accompanied by a fee of two dollars, of the superintendent of schools in a city or town in case of intended use in a public school, or of the responsible head of the university, college, technical or private school or

county extension service, as the case may be, or if to be used for business or demonstration purposes, upon the written application of a responsible citizen. The commissioner shall also cause to be posted on apparatus so approved and licensed a statement of the terms and conditions governing its use and the penalty hereinafter prescribed for their violation. The said commissioner, or such local authority as the commissioner may designate, may, upon payment of a fee of two dollars, grant a license for the term of one year to operate such a cinematograph or apparatus, under the conditions herein specified, to any suitable person twenty-one years of age or over. Said license may be renewed on payment of a like fee. Any license or approval granted under this section may be revoked by the commissioner, or the local authority authorized to grant the same. Violation of any provision of this section or of any rule, regulation, term or condition imposed by the commissioner of public safety under its provisions shall be punished by a fine of not more than five hundred dollars or by imprisonment for not less than two nor more than six months, or both.

Statement to be posted on approved and licensed apparatus. Operators' licenses, issuance, fee, etc.

Renewal.
Revocation.

Penalty.

Section 87. Whoever sells or leases or offers or exposes for sale or lease, or loans any nitrous or combustible film as cellulose acetate, incombustible or safety film, or whoever stamps or marks any nitrous or combustible film as cellulose acetate, incombustible or safety film, shall be punished by a fine of not less than one hundred nor more than five hundred dollars or by imprisonment for not less than six months nor more than two years, or both.

Penalty for certain acts in connection with sale, etc., of films.

Section 88. No cinematograph or similar apparatus intended for use as a motion picture machine shall be sold, offered for sale or leased unless and until it has been inspected and approved by an inspector as evidenced by a plate which the inspector shall affix thereto upon which shall be set forth the kind of films which may lawfully be used in operating said cinematograph or apparatus and the penalties prescribed for its unlawful use. Violation of this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not less than six months nor more than two years, or both.

Sale, etc., of cinematographs or similar apparatus regulated.

Penalty.

Approved May 25, 1923.

AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUSTICES, CLERKS AND ASSISTANT CLERKS OF DISTRICT COURTS. *Chap. 479*

Be it enacted, etc., as follows:

SECTION 1. Section seventy-eight of chapter two hundred and eighteen of the General Laws is hereby amended by striking out the schedule contained therein and inserting in place thereof the following: —

G. L. 218, § 78, amended.

Population of District.		Salary.	SALARIES OF JUSTICES OF DISTRICT COURTS.
Under 5,000	.	\$1,200	
5,000 to 6,000	.	1,300	
6,000 to 7,000	.	1,400	
7,000 to 8,000	.	1,500	
8,000 to 9,000	.	1,600	

Salaries of justices of district courts.	Population of District.	Salary.
	9,000 to 11,000	\$1,700
	11,000 to 13,000	1,800
	13,000 to 15,000	1,900
	15,000 to 17,000	2,000
	17,000 to 18,000	2,100
	18,000 to 19,000	2,200
	19,000 to 22,000	2,300
	22,000 to 25,000	2,400
	25,000 to 27,000	2,500
	27,000 to 29,000	2,600
	29,000 to 31,000	2,700
	31,000 to 34,000	2,800
	34,000 to 37,000	2,900
	37,000 to 40,000	3,000
	40,000 to 43,000	3,100
	43,000 to 46,000	3,200
	46,000 to 49,000	3,300
	49,000 to 52,000	3,400
	52,000 to 55,000	3,500
	55,000 to 58,000	3,600
	58,000 to 61,000	3,700
	61,000 to 65,000	3,800
	65,000 to 70,000	3,900
	70,000 to 75,000	4,000
	75,000 to 80,000	4,100
	80,000 to 85,000	4,200
	85,000 to 90,000	4,300
	90,000 to 95,000	4,400
	95,000 to 100,000	4,500
	100,000 to 105,000	4,600
	105,000 to 110,000	4,700
	110,000 to 115,000	4,800
	115,000 to 120,000	4,900
	120,000 to 125,000	5,000
	125,000 to 130,000	5,100
	130,000 to 135,000	5,200
	135,000 to 139,000	5,300
	139,000 to 143,000	5,400
	143,000 to 146,000	5,500
	146,000 to 149,000	5,600
	149,000 to 152,000	5,700
	152,000 to 155,000	5,800
	155,000 to 158,000	5,900
	158,000 and over	6,000

Adjustment of salaries of certain justices, clerks and assistant clerks of district courts.

SECTION 2. The salaries of the justices, clerks and assistant clerks of district courts, except the courts mentioned in sections seventy-five to seventy-seven, inclusive, of said chapter two hundred and eighteen, shall, as soon as may be after this act takes effect, be so readjusted by the officer paying the salary as to apply the population, according to the last census, to the schedule and computation of salaries contained in section seventy-eight, as amended by section one of this act, and in section seventy-nine, and the salaries so readjusted shall be allowed and paid by the county from January first, nineteen hundred and twenty-four.

G. L. 32, § 65, etc., amended.

SECTION 3. Chapter thirty-two of the General Laws, as amended in section sixty-five by chapter four hundred and thirteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section sixty-five

and inserting in place thereof the following: — *Section 65.* Any justice of a district court, except the municipal court of the city of Boston, appointed before July first, nineteen hundred and twenty-one, who shall have reached the age of seventy, and who shall have served as a justice of such court for at least twenty consecutive years, may, with the approval of the governor and council, resign his office, and any such justice who so resigns, or who is retired under article LVIII of the amendments to the constitution, shall thereupon during the remainder of his life receive an amount equal to three fourths of the salary payable to him at the time of his resignation or retirement, to be paid in the same manner in which the salaries of acting justices are paid, provided that the retirement allowance of any such justice retiring or resigning after January first, nineteen hundred and twenty-four, shall be based on the salary received by him immediately prior to the last named date. Any justice of any such court appointed after July first, nineteen hundred and twenty-one, who is retired under said article LVIII shall on retirement be entitled to receive a pension equal to one half the salary which the justice of said court was entitled to receive immediately prior to July first, nineteen hundred and twenty-one, and payable in like manner. Sections twenty to twenty-five, inclusive, shall not apply to the justices of any such district court.

Pensions for justices of certain district courts.

Proviso.

Certain sections not to apply.

SECTION 4. This act shall take effect on January first, nineteen hundred and twenty-four.

Approved May 25, 1923.

Time of taking effect.

AN ACT PROVIDING FOR THE EXTENSION OF RAPID TRANSIT FACILITIES IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON.

Chap. 480

Be it enacted, etc., as follows:

SECTION 1. The following words as used in this act shall, unless the context otherwise requires, have the following meanings: —

Extension of rapid transit facilities in Dorchester district of Boston.
Definitions.

“City” shall mean the city of Boston.

“Company” shall mean the Boston Elevated Railway Company, its successors and assigns. During the period of public control the board of trustees of the Boston Elevated Railway Company shall have and exercise all the powers of the company under this act.

“Department” shall mean the transit department of the city of Boston, or such board or officers as may succeed to its rights and duties.

“Premises” shall mean the property authorized to be acquired by the department under the provisions of section two, except the extension of the Dorchester tunnel and incline.

“Equipment” shall mean the property which the department is authorized to provide and furnish under the provisions of section three.

Whenever any act is required or authorized to be done or performed by the department, such action shall be in the name of and on behalf of the city of Boston, and whenever any action

is required or permitted to be taken by the city, such act shall be performed by the department, unless otherwise expressly provided.

Extension of
Dorchester
tunnel.

SECTION 2. The department shall extend the Dorchester tunnel from its present terminus at or near Andrew square in that part of the city known as South Boston, through and under Boston street, private land, land now or formerly of the Old Colony Railroad Company, Power street and Dorchester avenue, bringing said tunnel to the surface by an incline south of Dorchester avenue and parallel to and on the westerly side of the railroad tracks operated by the New York, New Haven and Hartford Railroad Company, and known as the Boston division, at a point between Dorchester avenue and Columbia road, and shall acquire, lay out and construct a line of surface railway connecting with such extension at said incline, and thence running substantially parallel to, along or westerly of the location of said railroad tracks over or under, along and across public and private ways and lands to the junction of said tracks near the present Harrison square station with the tracks operated by said New York, New Haven and Hartford Railroad Company, known as the Shawmut branch; thence running upon and along the location of said Shawmut branch to a point at or near the junction of River street and Blue Hill avenue in that part of the city known as Mattapan. The department shall acquire, lay out and construct at or near Fields Corner, so-called, between Dorchester avenue and Geneva avenue in that part of the city known as Dorchester, or at such other points beyond Fields Corner as may be agreed upon between the company and the department suitable yards, tracks and sheds for the storage, inspection and repair of trains and cars, and shall also lay out and construct suitable areas, enclosed or otherwise, stations and shelters at or near Columbia road, Savin Hill avenue and at such other points as may be agreed upon between the company and the department and an enclosed transfer area and station for the convenient interchange of passengers between trains and cars at or near Fields Corner. For the purpose of avoiding objectionable curves or any practical or legal obstacles the department may vary or alter the route herein prescribed, and may for the purpose of carrying out the work herein authorized, acquire, lay out and construct or alter approaches, sidings, bridges, viaducts, inclines, yards and incidental railway structures.

Construction,
etc., of line of
surface railway
connecting
with such
extension and
thence running
to Mattapan.

Acquisition,
construction,
etc., of storage,
etc., yards,
areas,
stations, etc.

Route may be
altered, etc.

Acquisition,
etc., of
approaches,
sidings, etc.

Alterations,
additions,
etc., to
Dorchester
tunnel.

Acquisition of
right of way
for surface
railway line
on certain
railroad
locations.

The department may make such alterations and changes and additions and extensions to the Dorchester tunnel, at or south of Andrew square, as the department may deem necessary or desirable, and the cost of any alterations, changes, additions and extensions to said tunnel authorized under this act shall be deemed to be and be a part of the cost of said tunnel.

If the said line of surface railway shall run over the location, or a portion thereof, of said main line railroad tracks between Andrew square and Harrison square the city shall acquire a right of way therefor from the said railroad companies, either by purchase or by eminent domain under chapter seventy-nine

of the General Laws, and in case of the latter the said corporations shall be entitled to recover compensation for any injury to their property to the same extent as private persons from whom takings may be made for the purposes of said line of surface railway. Said compensation may be made in whole or in part in land, bridges, structures, materials or labor, including alterations on said portion of the main line as may be necessary and proper to put said railroad companies in as good position as they now are for conducting their business, if the parties so agree. The portion of said line of surface railway which may be located upon said main line right of way shall be so designed and constructed that the said railroad companies, or their successors, shall have suitable freight connections with the sidings and freight yards now in use.

Railroads to have freight connections with sidings, etc., now in use.

If the said line of surface railway shall be constructed in whole or in part upon said Shawmut branch, the city shall acquire by purchase or by eminent domain under said chapter seventy-nine the whole of said Shawmut branch except such part of the portion between Shawmut junction and Central avenue or such interests therein as the department shall determine to exclude from such purchase or taking.

Acquisition of Shawmut branch of New York, New Haven and Hartford Railroad Company.

Said line of surface railway shall be so designed and constructed or so operated that the said railroad companies, or their successors, shall have suitable freight connections from the junction of their existing track from Neponset to Shawmut junction with said Shawmut branch to the sidings now in use on said branch between Shawmut junction and Central avenue.

Railroads to have freight connections with certain sidings on said branch.

When the Dorchester tunnel extension and said line of surface railway to Mattapan station are completed and ready for operation said railroad companies shall abandon all passenger traffic upon said Shawmut branch and at the Crescent avenue and Savin Hill stations, so-called, on said main line, and shall thereafter be relieved of all duties and obligations relating thereto, and thereupon reasonable and adequate passenger service over said Shawmut branch shall be furnished by the lessee of the premises. Until then said railroad companies shall operate thereat and thereon, except as may be authorized or required by the department of public utilities, at such rental, after the taking or purchase, as shall be agreed upon between the city and the New York, New Haven and Hartford Railroad Company. No taking or purchase by the city from the railroad companies as herein provided shall be made until the department of public utilities shall have formally approved some plan under which reasonably frequent and adequate rapid transit passenger trains or cars can be safely operated over the track from Welles avenue through Shawmut junction to Mattapan. Nothing in this act shall be construed to relieve or prevent the New York, New Haven and Hartford Railroad from operating its freight service from Neponset to Central avenue.

Passenger traffic upon said Shawmut branch, etc., to be abandoned by railroad companies and furnished by lessee of premises, when, etc.

Plan for passenger service from Welles avenue through Shawmut junction to Mattapan.

Railroad freight service from Neponset to Central avenue.

SECTION 3. The department shall provide, equip and furnish that portion of the line of railway authorized by the preceding section extending from the southerly end of said incline to the terminal at Mattapan, including terminals, stations, shelters,

Equipment of said line of surface railway with necessary property, appliances, apparatus, etc.

enclosed areas, yards and structures appurtenant thereto, with all necessary ballast, tracks, rails, fastenings, frogs, switches, switch stands, ties, tie plates, wires, poles, signals, conduits, lighting and power distribution systems, fences, barriers, station equipment and incidental apparatus, and in general shall completely equip and furnish the same with all property, appliances, apparatus, machinery, furniture and fixtures proper and adapted thereto and necessary for the convenient maintenance and operation of a railway therein and thereon to Welles avenue; and thence to Mattapan for the convenient maintenance and operation of such type of service as may from time to time be determined upon by the company in compliance with the preceding section, and for the safety and accommodation of passengers using the same.

Equipment of
Dorchester
tunnel
extension.

The extension of the Dorchester tunnel authorized by the preceding section shall, when constructed, be equipped by the company in the same manner in which the rest of said tunnel is equipped.

Preliminary
investigations,
surveys and
plans.

SECTION 4. The department shall, immediately after the passage of this act, make such preliminary investigations, surveys and plans as it may deem expedient, and to that end may enter upon any lands, and place and maintain marks therein, and may make excavations and boring and do all other acts necessary for such investigations and surveys. The department may expend such sums as it deems necessary therefor. The expenses incurred in making such preliminary investigations, surveys and plans shall be paid from the loans authorized by chapter seven hundred and forty-one of the acts of nineteen hundred and eleven, but if and when the construction is begun hereunder the amount so expended shall be transferred and charged to the cost of such construction. The work of construction, however, shall not be begun until the department has filed with the commissioner of public works of the city a plan signed by the department showing the proposed route and the location thereof, the general form and method of construction, the location and equipment of proposed tracks, stations and approaches, and the alignment and grade, which plan shall be submitted to the company for its examination, nor until the contract hereinafter mentioned for the use of the premises and its equipment has been executed. Any such plan so filed may be altered at any time before the execution of said contract by a new plan signed, submitted and filed in like manner; but after execution of said contract no changes shall be made without the consent of the company thereto in writing.

Expenditures
therefor.

Filing of plan
and execution
of certain
contract to
precede work
of construction.

Alterations
in plan.

Approval of
plan, etc., by
certain rail-
road companies
or department
of public
utilities.

The work of construction shall not be begun until such plan or alteration thereof shall, so far as it covers work in, or directly affecting the operation of, the said portions of the main line tracks between Andrew square and Harrison square have received the approval of said railroad companies, or of the department of public utilities, nor shall any such changes be made in such plan after the beginning of construction without such approval.

SECTION 5. The department is hereby authorized to execute a contract with the company upon the terms and conditions herein prescribed for the use of the premises and equipment by the company for the running of trains and cars therein and thereon, and for such other uses as the department and the company may agree upon, for a term which shall extend from the beginning of the use of the premises and equipment to the time of the termination of the present lease of the Dorchester tunnel, at a rental during said term at the rate of four and one half per cent per annum upon the fair and reasonable cost, as determined by the department of public utilities, of the premises and equipment; provided, however, that the annual rental shall be sufficient to provide for an amount equal to one half of one per cent of said cost in addition to the annual amount of interest on the bonds issued to pay for said cost, but not less than said four and one half per cent in any event. The use of the premises and equipment by the company shall begin upon certification by the department of public utilities that the premises and equipment are in safe and proper condition for operation. The contract shall provide that all equipment shall be maintained and kept by the company in proper repair and condition, and shall contain such provisions for depreciation, obsolescence and losses as may be agreed upon by the department and the company, or, in case of difference, as the department of public utilities may determine. The contract shall also contain such other provisions and conditions not affecting the term or rental, and following the form of the contract for the use of the Dorchester tunnel so far as the same may be applicable, as the department and the company may agree upon, or, in case of difference, as the department of public utilities may determine.

The cost of the premises and equipment shall be deemed to include, except as otherwise provided herein, all expenditures incurred in acquisition and construction, including damages, expenses, such proportion of the salaries of the department as may in its opinion be properly chargeable thereto, and interest on the debt incurred for the acquisition and construction of the premises and equipment prior to the beginning of the use by the company.

SECTION 6. For the purpose of carrying out the provisions of this act, the department may use public ways and lands without compensation therefor, and may take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, for and on behalf of the city, lands in fee and easements, estates and rights in land, including any and all lands, easements and rights owned by any railroad company, and the right to go under or over the surface thereof or through or under buildings or parts of buildings thereon; and such taking in fee or otherwise may be made whether the lands taken or otherwise affected are held under or by title derived under eminent domain or otherwise, and may be made for the purpose of providing locations for pipes, wires, conduits and other structures, the relocation of which is made necessary or expedient by

Contract with
Boston
Elevated
Railway
Company
for use of
premises,
equipment, etc.

Rental.

Proviso.

Use of
premises, etc.,
when to begin.

Provisions
and contents
of contract.

Cost of
premises and
equipment,
what to include.

Use of public
ways, etc.

Takings,
purchases,
etc., of lands,
easements, etc.

Takings may be confined to portions or sections of parcels of real estate, etc.

the construction authorized by this act. A taking under this section of an easement or other estate or right in a given parcel of real estate, whether such parcel consists of unimproved land or of land and buildings, may be confined to a portion or section of such parcel fixed by planes or other surfaces of division below, above or at the surface of the soil; and in such case no taking need be made of upper or lower portions or sections, except of such easements therein, if any, as the department may deem necessary.

Sale, etc., of property acquired.

SECTION 7. The department may sell the buildings and other structures upon any lands acquired by it, or may remove the same; and shall sell, if a sale be practicable, or if not shall lease, any lands or rights or interests in land or other property acquired for the purposes of this act whenever the same shall, in the opinion of the department, cease to be needed for such purposes. The proceeds of such sales and leases, and the fair valuation of any such lands or other property no longer needed for the said purposes but not actually sold, as agreed upon by the department and the company, or, in case of difference, as determined by the department of public utilities, shall, for the purpose of ascertaining the rental thereof, be deducted from the cost of the premises, except that the proceeds from the sales or leases of land acquired for the Dorchester tunnel extension shall be credited to the cost of the Dorchester tunnel.

Proceeds, etc., to be deducted from cost for purpose of ascertaining rental, except, etc.

Property damages, recovery, etc.

SECTION 8. Any person sustaining damage by reason of property or rights in property taken or injured by the department under authority of this act, except public ways or lands, shall be entitled to recover the same from the city under said chapter seventy-nine. The members of the department shall not be liable personally for any such damage.

Removal or relocation of surface tracks, conduits, wires, etc., interfering with construction or operation of premises, etc.

SECTION 9. The department may order the removal or relocation of any surface tracks, and the removal or relocation of any conduits, pipes, wires, poles or other property located in public ways or places which it deems to interfere with the construction or operation of the premises authorized by this act, and shall grant new locations for any such structures so removed or relocated. Such orders, to the extent specified therein, shall be deemed a revocation of the right or license to maintain such tracks, conduits, pipes, wires, poles or other property in such public ways or places, and the owner of any such structures shall comply with the said orders without expense to the city. If any such owner shall fail to comply with the order of the department within a reasonable time, to be fixed in the order, the department may discontinue and remove such tracks, conduits, pipes, wires, poles or other property and may relocate the same, and the cost of such discontinuance, removal or relocation shall be repaid to the city by the owner. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. Any such structures in or upon private lands may be removed and relocated by the department, or if removed and relocated by the owner thereof the reasonable expense shall be paid to him by the department. Any gas or electric lighting company may

Shutting off gas or current

shut off the gas or current from any pipes or wires affected by any acts done hereunder, so far as may be necessary to avoid danger of escape or explosion of gas, or other public danger.

to avoid danger, etc.

No provisions in this section shall be held to be in derogation of the provisions of section two relative to the rights of the Old Colony Railroad Company or of the New York, New Haven and Hartford Railroad Company in case of a taking or use of the portion of their main line tracks specified in said section two.

Certain rights of certain railroad companies not affected.

SECTION 10. All work done under this act, under or near public streets and places, shall be conducted, so far as may be practicable, in such manner as to leave such streets and places, or a reasonable part thereof, open for traffic between the hours of seven in the forenoon and six in the afternoon of each secular day, except legal holidays.

Construction work, as affecting street traffic, etc.

SECTION 11. The treasurer of the city shall from time to time, on request of the department, and without further authorization than herein contained, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding the cost of carrying out the provisions of this act. Such bonds shall be designated on their face Dorchester Rapid Transit Bonds; shall be for such terms, not exceeding forty-five years, as the mayor and treasurer of the city may determine; and shall bear interest payable semi-annually, at such rate as the treasurer shall determine. The proceeds of such bonds, including any premiums realized from the sale thereof, shall be used to meet all damages, cost and expenses incurred by the department or by the city in carrying out the provisions of this act. The proceeds from any sale or sales of lands or rights taken or acquired by purchase or otherwise shall be used for the same purpose as the rentals of said premises and equipment, or shall be used for the payment of expenditures incurred for construction, as the department may determine, and all rentals, tolls, percentages or other compensation received by the city under the provisions of this act shall be used in the first instance for the payment of interest on the bonds herein authorized, and the balance shall be used for the payment of the principal of said bonds. Any interest received by the city upon the proceeds of the bonds prior to the expenditure of such proceeds shall be credited against interest during construction in ascertaining the net cost of the premises and equipment. The city shall have, hold and enjoy in its private or proprietary capacity, for its own property, the said premises and equipment, and all rents, tolls, income and profits from all contracts entered into by it for the use of said premises or equipment or any part thereof, and the same shall never be taken by the commonwealth except on payment of just compensation.

City treasurer may issue bonds, etc.

Dorchester Rapid Transit Bonds.

Use of proceeds of bonds.

Use of proceeds of sales of lands, etc.

Use of rentals, tolls, etc.

Certain interest upon proceeds of bonds to be credited, etc.

Premises, equipment, rents, tolls, etc., to be property of city, etc.

Debts incurred by the city for the purposes of this act shall not be considered in determining the statutory limit of indebtedness of the city.

Debts not to affect Boston's debt limit.

SECTION 12. In respect to the use and operation of the premises and equipment the company shall have all the powers

Powers, duties, liabilities, etc., of Boston

Elevated
Railway
Company.

and privileges and be subject to all the duties, liabilities, restrictions and provisions set forth in general and special laws now or hereafter in force applicable to it. To provide for proper connections with the premises the company may make such alterations or extensions of its tracks and locations as the department may approve.

Rights of
common-
wealth, etc., to
take, etc.,
properties of
Boston
Elevated
Railway
Company not
impaired, etc.

SECTION 13. The contract for the use of the premises and equipment executed in accordance with the authority conferred by this act shall not in any respect impair any right which the commonwealth or any political sub-division thereof may at any time have to take the railway properties of the Boston Elevated Railway Company or any right which the commonwealth or any political sub-division thereof has under section sixteen of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen. In the event of such taking the compensation to be paid to the company shall not be enhanced by reason of such contract, nor shall it be diminished because of the fact that without it properties might be cut off.

When act shall
take effect.

SECTION 14. Section four of this act shall take effect upon its passage. The remaining provisions of this act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter, and by the Boston Elevated Railway Company by vote of its board of directors, and upon agreement by the Old Colony Railroad Company as owner and the New York, New Haven and Hartford Railroad Company as lessee to accept in payment for said Shawmut branch, free of all encumbrances except such right for freight connections as may be reserved under section two, whether said branch shall be acquired by eminent domain, purchase or otherwise, such sum, not exceeding one million dollars, as the department of public utilities after public hearing shall have previously determined to be just and reasonable and upon agreement by said companies that there may be deducted or repaid from such sum the amounts of any judgment or judgments, in any proceedings for the taking of the whole or any part or parts of said branch in fee, in favor of any other person for any interest at the date of the taking in the property so taken; provided that such acceptances and agreement are made on or before May first, nineteen hundred and twenty-four. Such acceptances and such agreement shall be evidenced by certificates thereof filed with the secretary of the commonwealth.

Proviso.

Evidence to be
filed with state
secretary.

Construction
work to be
open to
competitive
bidding, etc.

SECTION 15. All construction work authorized under this act shall be open to competitive bidding, shall be advertised in a reasonable number of newspapers for proposals for the performance of such work, and shall be awarded to the lowest responsible and eligible bidder, and written contracts shall be made with such bidder, — except to the extent that it may prove impracticable because of reasons special and peculiar to this work and may be otherwise authorized, in writing, by the department of public utilities.

Approved May 25, 1923.

AN ACT RELATIVE TO THE CONSTRUCTION OF A HIGHWAY IN THE CITY OF REVERE AFFORDING AN APPROACH TO THE METROPOLITAN PARKS DISTRICT. *Chap. 481*

Be it enacted, etc., as follows:

Section one of chapter five hundred and one of the acts of nineteen hundred and twenty-two is hereby amended by striking out, in the twelfth line, the word "cities" and inserting in place thereof the word: — city, — by striking out, in the same line, the words "and Revere" and by striking out, in the seventeenth and eighteenth lines, the words: — , and in Revere from Broadway to North Shore road, — so as to read as follows: — *Section 1.* The division of highways of the department of public works is hereby authorized and directed to lay out and construct a highway in the city of Revere beginning at the Malden line on or near the present way leading from Revere to that part of the city of Malden known as Linden and extending to Broadway in said city of Revere. The route of such layout and construction may be along existing public or private ways or over private land; provided that no work shall be done on the construction of said highway until satisfactory releases have been obtained from the owners for all land to be used for said highway without expense and that the city of Malden shall have made the necessary appropriations and undertaken the construction of connections satisfactory to said division, said connection in Malden to run from the Revere line through Linden square, Beach and Salem streets and over private land to the Newburyport Turnpike. *Approved May 25, 1923.*

1922, 501, § 1,
amended.

Division of
highways may
construct
highway in
Revere
affording an
approach to
metropolitan
parks district.

Proviso.

City of
Malden to
construct
connections,
etc.

AN ACT RELATIVE TO THE REMOVAL OF SNOW AND ICE FROM STATE AND OTHER HIGHWAYS. *Chap. 482*

Be it enacted, etc., as follows:

SECTION 1. Chapter eighty-one of the General Laws is hereby amended by striking out section nineteen and inserting in place thereof the following: — *Section 19.* The town in which a state highway lies shall at its own expense keep such highway sufficiently clear of snow and ice to be reasonably safe for travel. It shall have police jurisdiction over all state highways within its limits, and shall forthwith give written notice to the division or its employees of any defect or want of repair in such highways; but it may make necessary temporary repairs of a state highway without the approval of the division. The division shall notify the mayor of a city or the selectmen of a town in which a state highway lies, whenever, in its opinion, such state highway is not being kept sufficiently clear of snow and ice, and shall specify in said notice what should be done to make such state highway reasonably safe for travel and the time within which its specifications should be carried out. If such officers do not cause such snow and ice to be removed or such state highway to be made reasonably safe for travel in the manner and within the time specified in such notice, the division may do such work

G. L. 81, § 19,
amended.

Removal of
snow and ice
from state
highways by
cities and
towns.

Police
jurisdiction.

Removal by
division of
highways upon
failure of
cities and
towns.

Expense to be paid by cities and towns. and the expense thereof shall be paid from any funds available for keeping highways open during the winter. The division shall certify the amount so expended to the state treasurer, to be collected by him in the same manner as the expenses of repairs on state highways are collected under section sixteen.

Exemptions. The division, may, upon petition, exempt any town from the whole or any part of such reimbursement, if in its judgment it would prove an undue burden.

G. L. 84, § 11, amended.

State aid for keeping highways open in winter.

Proviso.

G. L. 161, § 85, amended.

Regulations for clearance of snow from tracks, etc., by street railway companies.

Proviso.

Copy of regulations to companies, etc.

Petition for amendments.

Hearing, findings, etc.

SECTION 2. Chapter eighty-four of the General Laws is hereby amended by striking out section eleven and inserting in place thereof the following: — *Section 11.* The department of public works may co-operate with the proper officers of cities, towns and counties in keeping open and reasonably passable for vehicles during the winter months such highways as may be selected by said department, having regard to the importance thereof for commercial uses and the co-operation and aid to be rendered by cities, towns and counties and persons in carrying on this work, and for this purpose may expend such sums as may be annually appropriated therefor and may accept financial or other assistance from any city, town, county or person; provided, however, that the work carried on under this section shall be supplemental to work undertaken and performed by cities and towns under other provisions of law, and that nothing in this section shall render the commonwealth liable for damages for which it is not liable under other provisions of law or relieve cities or towns from keeping their highways clear from ice and snow as required by other provisions of law.

SECTION 3. Chapter one hundred and sixty-one of the General Laws is hereby amended by striking out section eighty-five and inserting in place thereof the following: — *Section 85.* The division of highways of the department of public works, in respect to state highways, and the superintendent of streets of cities or officers exercising like authority therein and the selectmen in towns in respect to all other public ways, shall establish regulations for the clearance of snow from its tracks by any street railway company operating therein, and for the removal of such snow by said company from the public ways in which such tracks are located; provided, that no such company shall be compelled to remove from the public ways in which its tracks are located an amount of snow greater than it has cleared from between its rails and between its tracks and from a space eighteen inches wide on either side of its tracks.

Annually on or before September first the said division and the local authorities above named shall transmit to the president or other officer of each company operating its cars in the public ways subject to regulations established by said division or local authorities, and to the department, a copy of such regulations. Within fourteen days after the receipt by any company of such regulations, such company may, by its president or a majority of its board of directors, petition the department for such amendments thereof as said president or said board of directors deem reasonable. The department shall, after notice and a hearing, within sixty days of the receipt of said

petition, file with the said division or the said local authorities and with the president of such company its findings upon said petition, including such amendments of said regulations, if any, as the department deems reasonable, and thereafter such regulations as amended shall be and remain in force until September first following and until other regulations are established as herein provided.

Approved May 25, 1923.

AN ACT RELATIVE TO SITTINGS OF THE PROBATE COURT IN Chap. 483
BERKSHIRE COUNTY AT GREAT BARRINGTON AND ADAMS.

Be it enacted, etc., as follows:

Section one of chapter three hundred and twenty-five of the acts of the current year is hereby amended by striking out, in the ninth line, the word "March" and inserting in place thereof the word: — May, — and by striking out, in the eleventh line, the word "May" and inserting in place thereof the word: — March, — so as to read as follows: — *Section 1.* Section sixty-two of chapter two hundred and fifteen of the General Laws, as amended by chapters forty-one and two hundred and fifty-seven of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out the paragraph contained in lines six to fourteen, inclusive, and inserting in place thereof the following: — Berkshire, at Pittsfield, the first Tuesday of each month except August and November, and the Wednesday next after the first Monday of November; at Great Barrington, the third Tuesdays of February, May, September and December; at Adams, the third Tuesdays of March, July and October; at North Adams, the third Tuesdays of January, April, June and November.

1923, 325, § 1,
amended.

Sittings of
probate court
in Berkshire
county.

Approved May 25, 1923.

AN ACT REVIVING GAYNOR'S LUNCH, INC. Chap. 484

Whereas, The deferred operation of this act would cause inconvenience and expense, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

The Gaynor's Lunch, Inc., a corporation dissolved by chapter four hundred and forty of the acts of nineteen hundred and twenty-two, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed; and all acts and proceedings of the stockholders, directors and officers of said corporation acting as such which would be legal and valid but for the passage of said chapter are hereby ratified and confirmed.

Gaynor's
Lunch, Inc.,
revived, etc.

Approved May 25, 1923.

AN ACT AUTHORIZING THE APPOINTMENT OF TEMPORARY Chap. 485
ASSISTANT DISTRICT ATTORNEYS FOR THE SUFFOLK DISTRICT.

Whereas, The deferred operation of this act would in part defeat its purpose to relieve the congested docket of the district

Emergency
preamble.

attorney for the Suffolk district, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

District attorney for Suffolk district may appoint two temporary assistant district attorneys.

The district attorney for the Suffolk district may appoint two assistant district attorneys to serve until the first Wednesday of January, nineteen hundred and twenty-five, and may remove them at pleasure. They shall be paid monthly by the commonwealth from the appropriation made for the salaries of the district attorney and assistants for the Suffolk district, one at the rate of five thousand dollars a year, and one at the rate of four thousand dollars a year.

Approved May 25, 1923.

Chap.486 AN ACT TO APPORTION AND ASSESS A STATE TAX OF TWELVE MILLION DOLLARS.

Emergency preamble.

Whereas, A delay in the taking effect of this act would cause great inconvenience in the collection of the state tax, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

State tax apportioned and assessed.

SECTION 1. Each city and town in the commonwealth shall be assessed and pay the sum with which it stands charged in the following schedule, that is to say:—

Abington, eleven thousand eight hundred and eighty dollars	\$11,880 00
Acton, fifty-four hundred dollars	5,400 00
Acushnet, sixty-nine hundred and sixty dollars	6,960 00
Adams, thirty-two thousand five hundred and twenty dollars	32,520 00
Agawam, eleven thousand seven hundred and sixty dollars	11,760 00
Alford, six hundred dollars	600 00
Amesbury, twenty-three thousand five hundred and twenty dollars	23,520 00
Amherst, fifteen thousand seven hundred and twenty dollars	15,720 00
Andover, twenty-four thousand dollars	24,000 00
Arlington, fifty-three thousand two hundred and eighty dollars	53,280 00
Ashburnham, thirty-seven hundred and twenty dollars	3,720 00
Ashby, twenty-four hundred dollars	2,400 00
Ashfield, twenty-two hundred and eighty dollars	2,280 00
Ashland, forty-six hundred and eighty dollars	4,680 00
Athol, twenty-three thousand seven hundred and sixty dollars	23,760 00
Attleboro, fifty-three thousand one hundred and sixty dollars	53,160 00
Auburn, sixty-one hundred and twenty dollars	6,120 00
Avon, thirty-three hundred and sixty dollars	3,360 00
Ayer, sixty-seven hundred and twenty dollars	6,720 00
Barnstable, twenty thousand six hundred and forty dollars	20,640 00
Barre, eighty-two hundred and eighty dollars	8,280 00
Becket, two thousand and forty dollars	2,040 00
Bedford, forty-nine hundred and twenty dollars	4,920 00

Belchertown, twenty-eight hundred and eighty dollars . . .	\$2,880 00	State tax apportioned and assessed.
Bellingham, thirty-seven hundred and twenty dollars . . .	3,720 00	
Belmont, thirty-four thousand nine hundred and twenty dollars . . .	34,920 00	
Berkley, fifteen hundred and sixty dollars . . .	1,560 00	
Berlin, nineteen hundred and twenty dollars . . .	1,920 00	
Bernardston, sixteen hundred and eighty dollars . . .	1,680 00	
Beverly, ninety-four thousand nine hundred and twenty dollars . . .	94,920 00	
Billerica, fifteen thousand four hundred and eighty dol- lars . . .	15,480 00	
Blackstone, fifty-two hundred and eighty dollars . . .	5,280 00	
Blandford, nineteen hundred and twenty dollars . . .	1,920 00	
Bolton, two thousand and forty dollars . . .	2,040 00	
Boston, three million three hundred two thousand four hundred dollars . . .	3,302,400 00	
Bourne, twelve thousand three hundred and sixty dollars . .	12,360 00	
Boxborough, seven hundred and twenty dollars . . .	720 00	
Boxford, twenty-one hundred and sixty dollars . . .	2,160 00	
Boylston, fifteen hundred and sixty dollars . . .	1,560 00	
Braintree, twenty-six thousand and forty dollars . . .	26,040 00	
Brewster, twenty-two hundred and eighty dollars . . .	2,280 00	
Bridgewater, twelve thousand two hundred and forty dol- lars . . .	12,240 00	
Brimfield, twenty-two hundred and eighty dollars . . .	2,280 00	
Brockton, one hundred fifty-seven thousand two hundred dollars . . .	157,200 00	
Brookfield, twenty-six hundred and forty dollars . . .	2,640 00	
Brookline, two hundred fourteen thousand eight hundred dollars . . .	214,800 00	
Buckland, fifty-one hundred and sixty dollars . . .	5,160 00	
Burlington, three thousand dollars . . .	3,000 00	
Cambridge, three hundred thirty-five thousand and forty dollars . . .	335,040 00	
Canton, fifteen thousand nine hundred and sixty dollars . .	15,960 00	
Carlisle, thirteen hundred and twenty dollars . . .	1,320 00	
Carver, forty-four hundred and forty dollars . . .	4,440 00	
Charlemont, nineteen hundred and twenty dollars . . .	1,920 00	
Charlton, forty-two hundred dollars . . .	4,200 00	
Chatham, sixty-three hundred and sixty dollars . . .	6,360 00	
Chelmsford, fourteen thousand and forty dollars . . .	14,040 00	
Chelsea, ninety-two thousand and forty dollars . . .	92,040 00	
Cheshire, twenty-six hundred and forty dollars . . .	2,640 00	
Chester, twenty-six hundred and forty dollars . . .	2,640 00	
Chesterfield, nine hundred and sixty dollars . . .	960 00	
Chicopee, ninety-seven thousand five hundred and sixty dollars . . .	97,560 00	
Chilmark, nine hundred and sixty dollars . . .	960 00	
Clarksburg, nineteen hundred and twenty dollars . . .	1,920 00	
Clinton, thirty thousand nine hundred and sixty dollars . .	30,960 00	
Cohasset, thirteen thousand four hundred and forty dol- lars . . .	13,440 00	
Colrain, thirty-six hundred dollars . . .	3,600 00	
Concord, fifteen thousand eight hundred and forty dollars . .	15,840 00	
Conway, twenty-one hundred and sixty dollars . . .	2,160 00	
Cummington, nine hundred and sixty dollars . . .	960 00	
Dalton, eleven thousand four hundred dollars . . .	11,400 00	
Dana, thirteen hundred and twenty dollars . . .	1,320 00	
Danvers, twenty thousand five hundred and twenty dol- lars . . .	20,520 00	
Dartmouth, seventeen thousand one hundred and sixty dollars . . .	17,160 00	
Dedham, thirty-three thousand dollars . . .	33,000 00	
Deerfield, ninety-two hundred and forty dollars . . .	9,240 00	
Dennis, thirty-six hundred dollars . . .	3,600 00	
Dighton, seventy-two hundred dollars . . .	7,200 00	

State tax
apportioned
and assessed.

Douglas, forty-three hundred and twenty dollars . . .	\$4,320 00
Dover, sixty-one hundred and twenty dollars . . .	6,120 00
Draeut, eighty-one hundred and sixty dollars . . .	8,160 00
Dudley, eighty-six hundred and forty dollars . . .	8,640 00
Dunstable, thirteen hundred and twenty dollars . . .	1,320 00
Duxbury, eighty-one hundred and sixty dollars . . .	8,160 00
East Bridgewater, ninety-two hundred and forty dollars . .	9,240 00
East Brookfield, eighteen hundred dollars . . .	1,800 00
East Longmeadow, forty-five hundred and sixty dollars . .	4,560 00
Eastham, thirteen hundred and twenty dollars . . .	1,320 00
Easthampton, twenty-seven thousand eight hundred and forty dollars . . .	27,840 00
Easton, twelve thousand dollars . . .	12,000 00
Edgartown, thirty-seven hundred and twenty dollars . . .	3,720 00
Egremont, eighteen hundred dollars . . .	1,800 00
Enfield, sixteen hundred and eighty dollars . . .	1,680 00
Erving, forty-five hundred and sixty dollars . . .	4,560 00
Essex, thirty-two hundred and forty dollars . . .	3,240 00
Everett, one hundred thousand nine hundred and twenty dollars . . .	100,920 00
Fairhaven, eighteen thousand two hundred and forty dollars . . .	18,240 00
Fall River, three hundred ninety-four thousand four hun- dred and forty dollars . . .	394,440 00
Falmouth, twenty-one thousand three hundred and sixty dollars . . .	21,360 00
Fitchburg, one hundred eighteen thousand nine hundred and twenty dollars . . .	118,920 00
Florida, twenty-six hundred and forty dollars . . .	2,640 00
Foxborough, seventy-six hundred and eighty dollars . . .	7,680 00
Frammingham, fifty-six thousand seven hundred and sixty dollars . . .	56,760 00
Franklin, fifteen thousand one hundred and twenty dol- lars . . .	15,120 00
Freetown, thirty-three hundred and sixty dollars . . .	3,360 00
Gardner, forty-one thousand two hundred and eighty dollars . . .	41,280 00
Gay Head, one hundred and twenty dollars . . .	120 00
Georgetown, thirty-three hundred and sixty dollars . . .	3,360 00
Gill, sixteen hundred and eighty dollars . . .	1,680 00
Gloucester, sixty-three thousand dollars . . .	63,000 00
Goshen, seven hundred and twenty dollars . . .	720 00
Gosnold, eighteen hundred dollars . . .	1,800 00
Grafton, twelve thousand nine hundred and sixty dollars . .	12,960 00
Granby, twenty-two hundred and eighty dollars . . .	2,280 00
Granville, fifteen hundred and sixty dollars . . .	1,560 00
Great Barrington, twenty thousand five hundred and twenty dollars . . .	20,520 00
Greenfield, forty-two thousand three hundred and sixty dollars . . .	42,360 00
Greenwich, twelve hundred dollars . . .	1,200 00
Groton, seven thousand and eighty dollars . . .	7,080 00
Groveland, thirty-seven hundred and twenty dollars . . .	3,720 00
Hadley, sixty-two hundred and forty dollars . . .	6,240 00
Halifax, nineteen hundred and twenty dollars . . .	1,920 00
Hamilton, ninety-two hundred and forty dollars . . .	9,240 00
Hampden, twelve hundred dollars . . .	1,200 00
Hancock, nine hundred and sixty dollars . . .	960 00
Hanover, fifty-five hundred and twenty dollars . . .	5,520 00
Hanson, forty-five hundred and sixty dollars . . .	4,560 00
Hardwick, seventy-four hundred and forty dollars . . .	7,440 00
Harvard, four thousand and eighty dollars . . .	4,080 00
Harwich, five thousand and forty dollars . . .	5,040 00
Hatfield, sixty-one hundred and twenty dollars . . .	6,120 00
Haverhill, one hundred thirty-eight thousand two hun- dred and forty dollars . . .	138,240 00

Hawley, six hundred dollars	\$600 00	State tax apportioned and assessed.
Heath, nine hundred and sixty dollars	960 00	
Hingham, eighteen thousand six hundred dollars	18,600 00	
Hinsdale, nineteen hundred and twenty dollars	1,920 00	
Holbrook, fifty-four hundred dollars	5,400 00	
Holden, fifty-eight hundred and eighty dollars	5,880 00	
Holland, three hundred and sixty dollars	360 00	
Holliston, fifty-eight hundred and eighty dollars	5,880 00	
Holyoke, two hundred eight thousand and eighty dollars	208,080 00	
Hopedale, fifteen thousand four hundred and eighty dollars	15,480 00	
Hopkinton, forty-six hundred and eighty dollars	4,680 00	
Hubbardston, twenty-two hundred and eighty dollars	2,280 00	
Hudson, fifteen thousand one hundred and twenty dollars	15,120 00	
Hull, twenty-five thousand two hundred dollars	25,200 00	
Huntington, twenty-six hundred and forty dollars	2,640 00	
Ipswich, fourteen thousand one hundred and sixty dollars	14,160 00	
Kingston, forty-five hundred and sixty dollars	4,560 00	
Lakeville, twenty-eight hundred and eighty dollars	2,880 00	
Lancaster, seventy-two hundred dollars	7,200 00	
Lanesborough, twenty-one hundred and sixty dollars	2,160 00	
Lawrence, two hundred forty-eight thousand one hundred and sixty dollars	248,160 00	
Lee, eleven thousand two hundred and eighty dollars	11,280 00	
Leicester, eighty-four hundred dollars	8,400 00	
Lenox, fourteen thousand two hundred and eighty dollars	14,280 00	
Leominster, forty-one thousand four hundred dollars	41,400 00	
Leverett, twelve hundred dollars	1,200 00	
Lexington, twenty thousand eight hundred and eighty dollars	20,880 00	
Leyden, seven hundred and twenty dollars	720 00	
Lincoln, forty-three hundred and twenty dollars	4,320 00	
Littleton, thirty-three hundred and sixty dollars	3,360 00	
Longmeadow, eleven thousand and forty dollars	11,040 00	
Lowell, two hundred ninety thousand one hundred and sixty dollars	290,160 00	
Ludlow, eighteen thousand six hundred dollars	18,600 00	
Lunenburg, thirty-eight hundred and forty dollars	3,840 00	
Lynn, two hundred forty thousand three hundred and sixty dollars	240,360 00	
Lynnfield, forty-two hundred dollars	4,200 00	
Malden, one hundred four thousand one hundred and sixty dollars	104,160 00	
Manchester, twenty-four thousand four hundred and eighty dollars	24,480 00	
Mansfield, fourteen thousand two hundred and eighty dollars	14,280 00	
Marblehead, twenty-five thousand nine hundred and twenty dollars	25,920 00	
Marion, sixty-eight hundred and forty dollars	6,840 00	
Marlborough, thirty thousand one hundred and twenty dollars	30,120 00	
Marshfield, sixty-three hundred and sixty dollars	6,360 00	
Mashpee, one thousand and eighty dollars	1,080 00	
Mattapoisett, forty-five hundred and sixty dollars	4,560 00	
Maynard, thirteen thousand two hundred dollars	13,200 00	
Medfield, forty-eight hundred dollars	4,800 00	
Medford, eighty-six thousand seven hundred and sixty dollars	86,760 00	
Medway, fifty-six hundred and forty dollars	5,640 00	
Melrose, forty-six thousand five hundred and sixty dollars	46,560 00	
Mendon, nineteen hundred and twenty dollars	1,920 00	
Merrimac, forty-two hundred dollars	4,200 00	
Methuen, thirty-six thousand eight hundred and forty dollars	36,840 00	

State tax
apportioned
and assessed.

Middleborough, fifteen thousand six hundred dollars . . .	\$15,600 00
Middlefield, seven hundred and twenty dollars . . .	720 00
Middleton, twenty-four hundred dollars . . .	2,400 00
Milford, twenty-six thousand five hundred and twenty dollars . . .	26,520 00
Millbury, eleven thousand and forty dollars . . .	11,040 00
Millis, forty-nine hundred and twenty dollars . . .	4,920 00
Millville, thirty-six hundred dollars . . .	3,600 00
Milton, forty-four thousand one hundred and sixty dollars . . .	44,160 00
Monroe, one thousand and eighty dollars . . .	1,080 00
Monson, fifty-seven hundred and sixty dollars . . .	5,760 00
Montague, twenty-two thousand and eighty dollars . . .	22,080 00
Monterey, one thousand and eighty dollars . . .	1,080 00
Montgomery, four hundred and eighty dollars . . .	480 00
Mount Washington, three hundred and sixty dollars . . .	360 00
Nahant, nine thousand four hundred and eighty dollars . . .	9,480 00
Nantucket, eleven thousand six hundred and forty dollars . . .	11,640 00
Natick, twenty-six thousand seven hundred and sixty dollars . . .	26,760 00
Needham, twenty-three thousand five hundred and twenty dollars . . .	23,520 00
New Ashford, two hundred and forty dollars . . .	240 00
New Bedford, four hundred thirteen thousand four hundred dollars . . .	413,400 00
New Braintree, twelve hundred dollars . . .	1,200 00
New Marlborough, thirty-one hundred and twenty dollars . . .	3,120 00
New Salem, thirteen hundred and twenty dollars . . .	1,320 00
Newbury, fifty-one hundred and sixty dollars . . .	5,160 00
Newburyport, twenty-eight thousand six hundred and eighty dollars . . .	28,680 00
Newton, one hundred eighty-nine thousand four hundred and eighty dollars . . .	189,480 00
Norfolk, three thousand dollars . . .	3,000 00
North Adams, fifty-two thousand eight hundred dollars . . .	52,800 00
North Andover, nineteen thousand eight hundred dollars . . .	19,800 00
North Attleborough, twenty-one thousand two hundred and forty dollars . . .	21,240 00
North Brookfield, fifty-five hundred and twenty dollars . . .	5,520 00
North Reading, thirty-two hundred and forty dollars . . .	3,240 00
Northampton, forty-nine thousand eight hundred dollars . . .	49,800 00
Northborough, forty-four hundred and forty dollars . . .	4,440 00
Northbridge, twenty-four thousand nine hundred and sixty dollars . . .	24,960 00
Northfield, thirty-eight hundred and forty dollars . . .	3,840 00
Norton, forty-eight hundred dollars . . .	4,800 00
Norwell, thirty-two hundred and forty dollars . . .	3,240 00
Norwood, forty-one thousand four hundred dollars . . .	41,400 00
Oak Bluffs, fifty-six hundred and forty dollars . . .	5,640 00
Oakham, one thousand eighty dollars . . .	1,080 00
Orange, eleven thousand eight hundred and eighty dollars . . .	11,880 00
Orleans, thirty-three hundred and sixty dollars . . .	3,360 00
Otis, nine hundred and sixty dollars . . .	960 00
Oxford, sixty-three hundred and sixty dollars . . .	6,360 00
Palmer, twenty-two thousand nine hundred and twenty dollars . . .	22,920 00
Paxton, twelve hundred dollars . . .	1,200 00
Peabody, forty-nine thousand nine hundred and twenty dollars . . .	49,920 00
Pelham, thirteen hundred and twenty dollars . . .	1,320 00
Pembroke, thirty-two hundred and forty dollars . . .	3,240 00
Pepperell, sixty-seven hundred and twenty dollars . . .	6,720 00
Peru, four hundred and eighty dollars . . .	480 00
Petersham, twenty-eight hundred and eighty dollars . . .	2,880 00

Phillipston, eight hundred and forty dollars	\$840 00	State tax apportioned and assessed.
Pittsfield, one hundred nine thousand five hundred and sixty dollars	109,560 00	
Plainfield, six hundred dollars	600 00	
Plainville, thirty-seven hundred and twenty dollars	3,720 00	
Plymouth, forty-five thousand three hundred and sixty dollars	45,360 00	
Plympton, thirteen hundred and twenty dollars	1,320 00	
Prescott, six hundred dollars	600 00	
Princeton, twenty-four hundred dollars	2,400 00	
Provincetown, eighty-four hundred dollars	8,400 00	
Quincy, one hundred twenty-five thousand five hundred and twenty dollars	125,520 00	
Randolph, seventy-five hundred and sixty dollars	7,560 00	
Raynham, thirty-one hundred and twenty dollars	3,120 00	
Reading, twenty thousand five hundred and twenty dol- lars	20,520 00	
Rehoboth, thirty-seven hundred and twenty dollars	3,720 00	
Revere, sixty thousand dollars	60,000 00	
Richmond, thirteen hundred and twenty dollars	1,320 00	
Rochester, twenty-five hundred and twenty dollars	2,520 00	
Rockland, fifteen thousand eight hundred and forty dollars	15,840 00	
Rockport, ten thousand two hundred dollars	10,200 00	
Rowe, seven hundred and twenty dollars	720 00	
Rowley, twenty-seven hundred and sixty dollars	2,760 00	
Royalston, twenty-five hundred and twenty dollars	2,520 00	
Russell, sixty-seven hundred and twenty dollars	6,720 00	
Rutland, twenty-six hundred and forty dollars	2,640 00	
Salem, one hundred three thousand eight hundred dollars	103,800 00	
Salisbury, fifty-one hundred and sixty dollars	5,160 00	
Sandisfield, one thousand and eighty dollars	1,080 00	
Sandwich, thirty-six hundred dollars	3,600 00	
Saugus, eighteen thousand nine hundred and sixty dollars	18,960 00	
Savoy, six hundred dollars	600 00	
Seituate, fourteen thousand four hundred dollars	14,400 00	
Seekonk, fifty-six hundred and forty dollars	5,640 00	
Sharon, seventy-nine hundred and twenty dollars	7,920 00	
Sheffield, thirty-two hundred and forty dollars	3,240 00	
Shelburne, forty-nine hundred and twenty dollars	4,920 00	
Sherborn, thirty-nine hundred and sixty dollars	3,960 00	
Shirley, forty-nine hundred and twenty dollars	4,920 00	
Shrewsbury, ten thousand three hundred and twenty dollars	10,320 00	
Shutesbury, eight hundred and forty dollars	840 00	
Somerset, sixty-four hundred and eighty dollars	6,480 00	
Somerville, one hundred ninety-four thousand five hun- dred and twenty dollars	194,520 00	
South Hadley, twelve thousand seven hundred and twenty dollars	12,720 00	
Southampton, sixteen hundred and eighty dollars	1,680 00	
Southborough, sixty-six hundred dollars	6,600 00	
Southbridge, twenty-six thousand two hundred and eighty dollars	26,280 00	
Southwick, thirty-one hundred and twenty dollars	3,120 00	
Spencer, ninety-six hundred dollars	9,600 00	
Springfield, four hundred ninety-two thousand four hun- dred and eighty dollars	492,480 00	
Sterling, thirty-two hundred and forty dollars	3,240 00	
Stockbridge, eleven thousand and forty dollars	11,040 00	
Stoneham, sixteen thousand six hundred and eighty dollars	16,680 00	
Stoughton, thirteen thousand six hundred and eighty dollars	13,680 00	
Stow, thirty-three hundred and sixty dollars	3,360 00	
Sturbridge, three thousand dollars	3,000 00	

State tax
apportioned
and assessed.

Sudbury, forty-four hundred and forty dollars . . .	\$4,440 00	✓
Sunderland, twenty-one hundred and sixty dollars . . .	2,160 00	
Sutton, forty-eight hundred dollars . . .	4,800 00	
Swampscott, thirty-two thousand two hundred and eighty dollars . . .	32,280 00	
Swansea, forty-nine hundred and twenty dollars . . .	4,920 00	
Taunton, eighty-five thousand six hundred and eighty dollars . . .	85,680 00	
Templeton, sixty-nine hundred and sixty dollars . . .	6,960 00	
Tewksbury, sixty-two hundred and forty dollars . . .	6,240 00	
Tisbury, forty-eight hundred dollars . . .	4,800 00	
Tolland, seven hundred and twenty dollars . . .	720 00	
Topsfield, fifty-five hundred and twenty dollars . . .	5,520 00	
Townsend, forty-five hundred and sixty dollars . . .	4,560 00	
Truro, fourteen hundred and forty dollars . . .	1,440 00	
Tyngsborough, twenty-one hundred and sixty dollars . . .	2,160 00	
Tyringham, nine hundred and sixty dollars . . .	960 00	
Upton, thirty-three hundred and sixty dollars . . .	3,360 00	
Uxbridge, fourteen thousand and forty dollars . . .	14,040 00	
Wakefield, thirty-one thousand six hundred and eighty dollars . . .	31,680 00	
Wales, nine hundred and sixty dollars . . .	960 00	
Walpole, eighteen thousand four hundred and eighty dollars . . .	18,480 00	
Waltham, ninety thousand dollars . . .	90,000 00	
Ware, sixteen thousand four hundred and forty dollars . . .	16,440 00	
Wareham, sixteen thousand nine hundred and twenty dollars . . .	16,920 00	
Warren, ninety-six hundred dollars . . .	9,600 00	
Warwick, twelve hundred dollars . . .	1,200 00	
Washington, seven hundred and twenty dollars . . .	720 00	
Watertown, sixty-three thousand four hundred and eighty dollars . . .	63,480 00	
Wayland, eighty-one hundred and sixty dollars . . .	8,160 00	
Webster, twenty-five thousand four hundred and forty dollars . . .	25,440 00	
Wellesley, thirty-seven thousand four hundred and forty dollars . . .	37,440 00	
Wellfleet, twenty-one hundred and sixty dollars . . .	2,160 00	
Wendell, nineteen hundred and twenty dollars . . .	1,920 00	
Wenham, fifty-eight hundred and eighty dollars . . .	5,880 00	
West Boylston, twenty-eight hundred and eighty dollars . . .	2,880 00	
West Bridgewater, forty-eight hundred dollars . . .	4,800 00	
West Brookfield, twenty-eight hundred and eighty dollars . . .	2,880 00	
West Newbury, twenty-five hundred and twenty dollars . . .	2,520 00	
West Springfield, forty-three thousand five hundred and sixty dollars . . .	43,560 00	
West Stockbridge, two thousand and forty dollars . . .	2,040 00	
West Tisbury, thirteen hundred and twenty dollars . . .	1,320 00	
Westborough, eighty-four hundred dollars . . .	8,400 00	
Westfield, forty-one thousand two hundred and eighty dollars . . .	41,280 00	
Westford, ninety-two hundred and forty dollars . . .	9,240 00	
Westhampton, seven hundred and twenty dollars . . .	720 00	
Westminster, twenty-six hundred and forty dollars . . .	2,640 00	
Weston, eleven thousand eight hundred and eighty dollars . . .	11,880 00	
Westport, ninety-seven hundred and twenty dollars . . .	9,720 00	
Westwood, fifty-eight hundred and eighty dollars . . .	5,880 00	
Weymouth, thirty-three thousand seven hundred and twenty dollars . . .	33,720 00	
Whately, twenty-one hundred and sixty dollars . . .	2,160 00	
Whitman, fourteen thousand eight hundred and eighty dollars . . .	14,880 00	
Wilbraham, fifty-six hundred and forty dollars . . .	5,640 00	

Williamsburg, thirty-three hundred and sixty dollars	\$3,360 00	State tax apportioned and assessed.
Williamstown, twelve thousand dollars	12,000 00	
Wilmington, fifty-four hundred dollars	5,400 00	
Winchendon, twelve thousand eight hundred and forty dollars	12,840 00	
Winchester, forty-seven thousand eight hundred and eighty dollars	47,880 00	
Windsor, eight hundred and forty dollars	840 00	
Winthrop, thirty-seven thousand nine hundred and twenty dollars	37,920 00	
Woburn, thirty-six thousand two hundred and forty dollars	36,240 00	
Worcester, five hundred fifty-one thousand eight hundred and eighty dollars	551,880 00	
Worthington, twelve hundred dollars	1,200 00	
Wrentham, forty-three hundred and twenty dollars	4,320 00	
Yarmouth, forty-nine hundred and twenty dollars	4,920 00	
	<hr/>	
	\$12,000,000 00	

SECTION 2. The state treasurer shall forthwith send his warrant, according to the provisions of section twenty of chapter fifty-nine of the General Laws to the selectmen or assessors of each city and town taxed as aforesaid, requiring them respectively to assess the sum so charged, and to add the amount of such tax to the amount of city, town and county taxes to be assessed by them respectively on each city and town.

State
treasurer to
issue warrant.

SECTION 3. The state treasurer in his warrant shall require the selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities and towns to pay to the state treasurer, on or before November twentieth in the year nineteen hundred and twenty-three, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors, respectively, shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the state treasurer at some time before September first in the year nineteen hundred and twenty-three.

Payment of
assessments by
cities and
towns.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the state treasurer within the time specified, then the state treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the commonwealth, in addition to the tax, such further sum as would be equal to one per cent per month during the delinquency from and after November twentieth in the year nineteen hundred and twenty-three; and if the same remains unpaid after December first in the year nineteen hundred and twenty-three, an information may be filed by the state treasurer in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as the court, or the justice thereof before whom the hearing is had, shall order. Nothing herein contained shall be construed to prevent the

Notice to
treasurers of
delinquent
cities and
towns.

Warrant of
distress, when
may issue.

Deduction of
tax from

moneys due from common-wealth.

state treasurer from deducting at any time, from any moneys which may be due from the commonwealth to the delinquent city or town, the whole or any part of said tax, with the interest accrued thereon, which shall remain unpaid.

Approved May 25, 1923.

Chap. 487 AN ACT PROVIDING AN ALTERNATIVE METHOD OF TAXATION OF NATIONAL BANKS AND PROVIDING FOR THE SETTLEMENT OF CERTAIN EXISTING TAX CLAIMS OF SUCH BANKS.

Emergency preamble.

Whereas, It is urgent that immediate provision be made for the settlement of existing controversies relative to the taxation of national bank shares and for the establishment of a suitable basis on which to assess taxes on national banks in the future, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 63, § 1, amended.

Taxation of bank shares.

SECTION 1. Chapter sixty-three of the General Laws is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* All shares of stock in banks, whether of issue or not, existing by authority of the United States or of any law of the commonwealth not contained in chapters one hundred and sixty-seven to one hundred and seventy-four, inclusive, and located in the commonwealth, shall be assessed to the owner thereof in the town where such bank is located, and not elsewhere, in the assessment of state, county, city and town taxes, whether such owner is a resident of said town or not. They shall be assessed at their fair cash value on April first, after deducting therefrom the proportionate part of the value of the real estate belonging to the bank, at the same rate as is assessed upon other moneyed capital in the hands of individual citizens coming into competition with the business of national banks; provided, that bonds, notes or other evidences of indebtedness in the hands of individual citizens not employed or engaged in the banking or investment business and representing merely personal investments not made in competition with such business, shall not be deemed moneyed capital, within the meaning of this section. The persons appearing from the books of banks to be owners of shares at the close of the business day last preceding April first shall be deemed to be the owners thereof.

Proviso.

Whom deemed owners of shares.

Alternative method of taxation.

G. L. 63, new sections after § 10.

Election by certain banks to be taxed upon their net income.

"Net income", term defined.

In lieu of the foregoing tax any such bank may, however, elect to be taxed upon its net income as provided in section ten A.

SECTION 2. Said chapter sixty-three is hereby further amended by inserting after section ten the two following new sections: — *Section 10A.* All banks whose shares are subject to taxation under section one shall upon election be taxed upon their net income an amount equal to twelve and one half per cent thereof. The term "net income" as herein used shall mean the net income, for the taxable year as defined in paragraph six

of section thirty, as required to be returned by the bank to the federal government under the federal revenue act of nineteen hundred and eighteen or of nineteen hundred and twenty-one, whichever of said acts may be applicable, and such interest and dividends received by the bank not so required to be returned as net income as would be taxable if received by an inhabitant of this commonwealth; less interest, so required to be returned, which is received from bonds, notes and certificates of indebtedness of the United States. Any such bank electing to be thus taxed shall file with the commissioner notice of such election, in such form as he shall prescribe, on or before the fifteenth day of March of the year in which the assessment is to be made. The commissioner shall, as soon thereafter as may be, notify the assessors of the town where such bank is located of such election, and in that event the local assessors shall make no assessment upon the shares of such bank in that year; and no such bank shall be liable to taxation under section fifty-eight. Banks making such election shall make returns to the commissioner within fifteen days after the date of such election, setting forth in such detail as he may require the information required for assessment of the tax herein provided. The statement required to be made under section four by the cashier of any such bank shall, if such bank elects to be taxed under this section, be made and delivered to the commissioner. All provisions of this chapter relative to the assessment, collection, payment, abatement and administration of taxes applicable to business corporations shall, so far as pertinent, be applicable to taxes under this section.

Section 10B. Taxes collected under the provisions of section ten A shall be distributed, credited and paid to the towns of the commonwealth or shall be retained by the commonwealth in the manner following: — Such proportion of the tax paid by each bank, electing to be taxed under section ten A, as corresponds to the proportion of its shares owned by individuals residing in this commonwealth, shall be distributed, credited and paid to the several towns in which such individuals reside on April first preceding, according to the number of shares so held in such towns respectively; and the remainder of such tax shall be retained by the commonwealth.

Notice of election.

Exemption from local taxation.

Returns, etc.

Certain business corporation tax laws to apply.

Distribution of taxes collected.

SECTION 3. Section one of chapter sixty-two of the General Laws, as amended by section one of chapter two hundred and eighty-seven and section one of chapter three hundred and seventy-eight both of the acts of nineteen hundred and twenty-three, is hereby further amended by inserting after the word "sixty-three" in the thirty-third line the words: — or the income of which banks is taxable under section ten A of said chapter, — so that sub-section (b) will read as follows: — (b) Dividends, other than stock dividends paid in new stock of the company issuing the same, on shares in all corporations and joint stock companies organized under the laws of any state or nation other than this commonwealth, except banks the shares of which are subject to taxation under section one of chapter sixty-three or the income of which banks is taxable under section ten A of said chapter and except such foreign corporations as are subject

G. L. 62, § 1, etc., subsect. (b), amended.

Income tax on dividends on shares in corporations, etc., except, etc.

to a tax upon their franchises payable to the commonwealth under section fifty-eight of chapter sixty-three.

Settlement
of certain
existing tax
claims of
certain banks.

Payments by
common-
wealth.

To The First
National Bank
of Boston.

Effective date
and application
of first five
sections, etc.
Provisos.

Time extension.

Appropriation
for refunds.

Funds, how to
be raised.

Additional
taxes imposed.

Retention
by state.

Effective date
and application
of this section.

SECTION 4. Any bank which within fifteen days after the passage of this act or within such further time as the commissioner of corporations and taxation may allow shall have filed a waiver in such form as the said commissioner shall prescribe, of any claim which it may have for the abatement or recovery of such part of the taxes assessed and paid upon its shares for the years nineteen hundred and twenty-one and nineteen hundred and twenty-two as exceeds one third of such taxes, and shall present a certificate of abatement or judgment approved by the attorney general and the said commissioner, shall be paid out of the treasury of the commonwealth a sum equal to one third of such taxes, and upon complying with the foregoing conditions there may be paid out of the treasury of the commonwealth the sum of one million five hundred thousand dollars, with the approval of the attorney general, to The First National Bank of Boston in full settlement of all claims for the abatement of taxes assessed upon the shares of said bank for the years nineteen hundred and seventeen to nineteen hundred and twenty inclusive.

SECTION 5. The first five sections of this act shall be effective as of April first in the current year and shall apply to the assessment of taxes in that year; provided, that in that year the notice of election mentioned in section two shall be filed within fifteen days after the passage of this act; and, provided, that in that year the election, to be effective shall be accompanied by a waiver by the bank, in such form as the said commissioner shall prescribe, of any claim which it may have for the abatement or recovery of any part of the taxes assessed upon its shares in the years nineteen hundred and twenty-one and nineteen hundred and twenty-two, in excess of one third thereof. The said commissioner may, however, extend the time for filing said waiver.

SECTION 6. There is hereby appropriated for the purposes of making the refunds provided for in this act, the sum of three million dollars to be paid out of the treasury of the commonwealth, and funds for this purpose are to be raised in the manner following: —

A. There is hereby imposed, in addition to the taxes levied under the provisions of chapter sixty-two of the General Laws, and all acts in amendment thereof and in addition thereto, and all taxes levied under the provisions of sections eleven to seventeen, inclusive, and sections thirty to sixty, inclusive, of chapter sixty-three of the General Laws, and all acts in amendment thereof and in addition thereto, an additional tax equal to ten per cent of the taxes imposed under the provisions of said sections and chapters, and all provisions of law relative to the assessment, payment, collection and abatement of the said taxes shall apply to the tax imposed by this section.

B. All the taxes provided by this section shall be retained by the commonwealth.

C. This section shall take effect as of December first, nineteen hundred and twenty-three, and shall apply to the assess-

ment of taxes in or on account of the calendar year nineteen hundred and twenty-four.

SECTION 7. This act shall take effect upon its passage.

Approved May 25, 1923.

AN ACT RELATIVE TO APPROPRIATIONS FOR SCHOOL PURPOSES Chap. 488
IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and six of the Special Acts of nineteen hundred and nineteen, as amended by section one of chapter two hundred and forty-nine of the Special Acts of nineteen hundred and nineteen, by chapter five hundred and twenty-four of the acts of nineteen hundred and twenty, and by chapter six hundred and forty-one of the acts of nineteen hundred and twenty, is hereby further amended by striking out item (b) and substituting the following: — (b) For the construction and furnishing of new school buildings, both temporary and permanent, including the taking of land therefor, and for school yards, and the preparing of school yards for use, and for the rent of hired school accommodations; for the financial years ending on the thirty-first day of January, nineteen hundred and twenty-four and nineteen hundred and twenty-five, respectively, two dollars and thirty-three cents, and for each financial year thereafter, sixty-eight cents; provided, however, that there shall not be appropriated for purposes included under the provisions of this item during the fiscal years ending on the thirty-first day of January, nineteen hundred and twenty-four and nineteen hundred and twenty-five, more than three million five hundred thousand dollars in any one year; and provided, further, that the amount to be raised by taxation in any one year to meet the appropriations already made and to be made for said years ending on the thirty-first day of January, nineteen hundred and twenty-four and nineteen hundred and twenty-five, for purposes included under the provisions of this item shall not exceed the estimated amount of expenditures necessary to be made during any year on account of any and all said appropriations as determined by the school committee on or before August first of each year and certified to the board of assessors on or before the fifth day of August in each year, until the entire amount of appropriations authorized for the years ending on the thirty-first day of January, nineteen hundred and twenty-four and nineteen hundred and twenty-five, have been entirely raised by taxation; and provided, further, that liabilities incurred hereunder may be paid from any money raised for appropriations made under the provisions of this item.

1919, 206 (S),
§ 1, item (b),
etc., amended.

Appropriations
by Boston
school com-
mittee for
construction,
etc., of new
school build-
ings, etc.,
regulated.

Provisos.

SECTION 2. Section one of said chapter two hundred and six, amended as aforesaid, is hereby further amended by striking out item (c) and inserting in place thereof the following: — (c) For the alteration and repair of school buildings and for furniture, fixtures and means of escape in case of fire, and for fire protection for existing buildings, and for improving existing school yards: for the financial years ending on the thirty-first

1919, 206 (S),
§ 1, item (c),
etc., amended.

For alteration
and repair of
school
buildings, etc.,
regulated.

day of January, nineteen hundred and twenty-four, nineteen hundred and twenty-five and nineteen hundred and twenty-six, respectively, ninety-one cents, and for each financial year thereafter, thirty-five cents.

Tax limit increased.

SECTION 3. The limit of the amount of taxes that may be assessed on property in the city of Boston is hereby increased in the year nineteen hundred and twenty-three and in each year thereafter by such an amount, on each one thousand dollars of the valuation upon which the appropriations of the city council of said city are based, as may be necessary to raise sufficient money to meet the provisions of this act.

To be submitted to mayor, city council and school committee.

SECTION 4. This act shall take effect upon its acceptance by the mayor, the city council and the school committee of said city.

Approved May 25, 1923.

Chap. 489 AN ACT TO PROVIDE FOR THE WIDENING AND CONSTRUCTION OF CAMBRIDGE STREET AND COURT STREET IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

City of Boston may widen and construct Cambridge street and Court street.

SECTION 1. The board of street commissioners of the city of Boston may, with the approval of the mayor, widen and construct to a width not less than one hundred feet and not exceeding one hundred and fifty-five feet Cambridge street from Charles street to Lindall place, and to a width not less than one hundred feet from Lindall place through Bowdoin square and Court street to Brattle street, upon plans to be prepared by said board of street commissioners and to be approved by the Boston planning board before the commencement of the widening and construction and before the commencement of any proceedings for the taking of any real estate or interest therein. Nothing in this act contained shall authorize the taking of any property, rights or interests of the commonwealth, but the department of public utilities is hereby authorized, in the name and on behalf of the commonwealth, to sell and convey to the city such rights or interests in the property conveyed to the commonwealth in accordance with the provisions of chapter three hundred and sixty-nine of the General Acts of nineteen hundred and nineteen as will not cause any interference with or interruption of transportation service over said property, on such terms and conditions as it may deem fair and reasonable and for such consideration as it may determine to be the fair and reasonable value thereof. The proceeds of any such sale shall be applied as provided in section five of said chapter three hundred and sixty-nine. If the lay-out or construction of said widening necessitates any alteration in the elevated railway structures acquired by the commonwealth under said chapter or the foundations or other appurtenances thereof, plans therefor shall be subject to the approval of the department of public utilities, and the construction of such alterations and work incidental thereto shall be performed by the Boston Elevated Railway Company. The city shall repay to said company the actual cost thereof, with interest from the date any expenditures therefor are made; and

Commonwealth may sell to Boston certain rights, etc., in Cambridge subway property.

Necessary alterations in elevated railway structures by Boston Elevated Railway Company.

Repayment of cost by city, etc.

the amounts paid for the acquisition of property of the commonwealth and for alterations in the said elevated structures shall be considered as a part of the cost of the widening and construction of said street or streets.

SECTION 2. Except as otherwise provided in section one, real estate or any interest therein may be acquired for the purposes of this act by eminent domain, but in no other manner. The said widening and construction of the said Cambridge street and Court street and the assessment of betterments therefor shall be made in accordance with the provisions of chapter three hundred and ninety-three of the acts of nineteen hundred and six, as amended by chapter five hundred and thirty-six of the acts of nineteen hundred and thirteen, and chapters seventy-nine and eighty of the General Laws, in so far as the said laws are consistent with the provisions of this act; provided, however, that no award or settlement of damages for any taking hereunder, and no assessment or settlement of betterments, except pursuant to judgment rendered in eminent domain proceedings or proceedings for the adjudication of betterments, shall be made unless the terms of such award, assessment or settlement and all pertinent facts shall have been submitted to the Boston finance commission not less than ten days before such award, assessment or settlement is made.

Acquisition of real estate by eminent domain.

Widening, etc., and betterment assessments therefor, how to be made.

Proviso.

SECTION 3. The treasurer of the city of Boston, without any other authority than that contained in this act shall from time to time, on request of the mayor, issue and sell at public or private sale bonds of the city to an amount not exceeding three million five hundred thousand dollars, which shall be outside the statutory limit of indebtedness. Each authorized issue of bonds shall constitute a separate loan. The bonds shall be designated on their face, Cambridge Street and Court Street Bonds, Act of 1923, shall be in such form of coupon bonds, or registered bonds without coupons, or coupon bonds exchangeable for registered bonds, as the treasurer of the city shall determine; shall be for such terms not exceeding twenty years from the dates of issue as the mayor and treasurer of the city shall determine; shall bear interest in accordance with the provisions of chapter fifty-two of the Special Acts of nineteen hundred and eighteen; and shall be payable by such annual payments as will extinguish the same at maturity and so that the first of the said annual payments on account of any loan shall be made not later than one year after the date of the bonds issued therefor, and that the amount of the said payments in any year on account of such loan shall not be less than the amount of principal of the loan payable in any subsequent year. The said annual amounts, together with the interest on the loan, shall, without further action, be assessed until the debt is extinguished. The treasurer of the city of Boston shall hold the proceeds of said bonds in the treasury of the city, and pay therefrom the costs and expenses incurred under the provisions of this act. Any premiums received from the sale of the said bonds, less the cost of preparing, issuing and selling the same, shall be applied to the payment of the principal of the first bond or bonds

City treasurer to issue bonds, etc.

Cambridge Street and Court Street Bonds, Acts of 1923.

Terms.

Interest.

Payment.

Application, etc., of proceeds.

Temporary
loan.

to mature. The city treasurer may, with the approval of the mayor, make a temporary loan for a period of not more than one year in anticipation of the money to be derived from the sale of any issue of the said bonds, and may issue notes therefor, and such notes may be refunded by the issue of new notes maturing within the said year; but the period of the permanent loan herein authorized shall not be extended by reason of the temporary loan.

Approved May 25, 1923.

Chap. 490

AN ACT TO INCORPORATE THE HARWICH WATER COMPANY.

Be it enacted, etc., as follows:

Harwich
Water
Company,
incorporated.

SECTION 1. George L. Weekes, Malcolm B. Davis and Susan R. Haynes, their associates and successors, are hereby made a corporation, by the name of the Harwich Water Company, for the purpose of supplying the inhabitants of the town of Harwich, or any part thereof, with water for domestic, manufacturing and other purposes, including the extinguishment of fires, with all the powers and privileges, and subject to all the duties, restrictions and liabilities set forth in all general laws now or hereafter in force applicable to such corporations.

May take, etc.,
waters, lands,
etc.

SECTION 2. Said corporation for the purposes aforesaid, may lease, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold and convey the waters, or so much thereof as may be necessary, of any ponds, brooks, springs or streams, or of any underground sources of supply by means of wells which may be constructed or sunk at any suitable place, and also all lands, rights of way and easements necessary for holding and preserving such waters and for conveying the same to any part of said town; and may erect on the land thus taken or held proper dams, buildings, standpipes, fixtures and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances, and may do such other things, as may be necessary for the establishment and maintenance of complete and effective water works; provided, however, that no source of water supply for domestic purposes or lands necessary for preserving the quality of such water shall be acquired under this act without the consent of the department of public health and that the location of all dams, reservoirs, wells or other works for collecting or storing water shall be subject to the approval of said department.

May erect
dams, build-
ings, etc.

Proviso.

May construct
and maintain
aqueducts,
conduits, etc.

SECTION 3. Said corporation, for the purposes aforesaid, may construct, lay and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, canals, dams, railroads, railways and public or other ways, and along any highways or other ways in the town of Harwich, in such a manner as not necessarily to obstruct the same and for the purpose of constructing, laying, maintaining and repairing such aqueducts, conduits, pipes and other works, and for all purposes of this act, said corporation may dig up, raise and embank any such lands, highways, or other ways in such manner as to cause the least hindrance to public travel; but all things done upon

any public way shall be subject to the direction and approval of the selectmen of said town. The said corporation shall not enter upon, construct or lay any pipes, conduits or other works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such railroad corporation, or, in case of failure so to agree, as may be approved by the department of public utilities.

Requirements for entry upon railroad locations.

SECTION 4. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from said corporation under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

Damages, how recovered, etc.

SECTION 5. Said corporation may distribute water through the town of Harwich, or any part thereof, may regulate the use of the same, and may establish and fix from time to time subject to the approval of the department of public utilities, the rates for the use of said water and may collect the same; and may make such contracts with the said town or with any fire district now or hereafter established therein, or with any person or corporation, to supply water for the extinguishment of fires, or for such other purposes as may be agreed upon.

May distribute water, fix rates, etc.

SECTION 6. Said corporation, may, for the purposes set forth in this act, hold real estate not exceeding in value twenty thousand dollars, and the capital stock of said corporation shall not exceed one hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each. If it be necessary for the purposes of said corporation, an increase of capital stock may be authorized by the department of public utilities as provided by law.

May hold real estate.

Capital stock.

SECTION 7. Said corporation may issue bonds, and may secure the same by a mortgage of its franchise and other property to an amount not exceeding its capital stock actually paid in. The proceeds of all bonds so issued shall be expended only in the extension of the works of the corporation and in the payment of expenditures actually made in the construction of the works over and above the amount of the capital stock actually paid in.

May issue bonds, etc.

Expenditure of proceeds.

SECTION 8. Whoever wilfully or wantonly corrupts, pollutes, or diverts any water taken or held under this act, or injures any structure, work or other property owned, held or used by said corporation under authority of this act, shall forfeit and pay to said corporation three times the amount of damages assessed therefor, to be recovered in an action of tort; and, upon being convicted of any of the above wilful or wanton acts, shall be punished by a fine of not more than three hundred dollars or by imprisonment in jail for not more than one year.

Penalty for polluting water, etc.

SECTION 9. The town of Harwich shall have the absolute right, at any time during the continuance of the charter hereby granted, to purchase the franchise, property and all the rights and privileges of said corporation, on payment to it of the market value of said franchise, corporate property, rights and

Town of Harwich may purchase franchise, property, etc.

Proviso.

Determination
of market
value of
franchise, etc.,
in case of
disagreement,
etc.

Time of taking
effect, etc.

privileges, as mutually agreed upon, or as hereinafter determined, on the date which said town shall fix for such purchase; provided, that said town shall give said corporation written notice of its intention to purchase as aforesaid at least sixty days before said date. If said town and said corporation shall be unable to agree within sixty days after said date upon the market value of said franchise, corporate property, rights and privileges, said town shall appoint one arbitrator and said corporation shall appoint a second arbitrator, and the two arbitrators so appointed shall appoint a third arbitrator. Said board of arbitration shall determine the market value of said franchise, corporate property, rights and privileges, and the finding of said board on all matters of fact shall be final. The hearing before said board shall be commenced within thirty days after the date of the appointment of the third arbitrator, and concluded within ninety days after his appointment, and the procedure before said board shall be in accordance with the provisions of chapter two hundred and fifty-one of the General Laws, except that the supreme judicial court shall have exclusive jurisdiction in equity to enforce by appropriate orders or decrees, or otherwise, the findings of said board and the right of said town to take possession of said franchise, corporate property, rights and privileges upon payment to said corporation of the sum awarded by said board.

SECTION 10. This act shall take effect upon its passage, but any action thereunder shall be void unless water is actually withdrawn or diverted under authority thereof within three years from the date of its passage. *Approved May 25, 1923.*

Chap. 491 AN ACT RELATIVE TO THE PAR VALUE OF SHARES OF CAPITAL STOCK ISSUED BY STREET RAILWAY COMPANIES.

Be it enacted, etc., as follows:

G. L. 161,
§ 4, par. (h),
amended.

Agreement of
association of
street railway
companies,
contents.

SECTION 1. Section four of chapter one hundred and sixty-one of the General Laws is hereby amended by striking out paragraph (h) and inserting in place thereof the following:—
(h) The par value of the shares, which may be one hundred dollars, fifty dollars or twenty-five dollars as the department shall authorize, — so as to read as follows:— *Section 4.* The agreement of association shall state:

(a) That the subscribers thereto associate themselves with the intention of forming a street railway company.

(b) The corporate name assumed, which shall be one not in use by any other such company in the commonwealth, or, in the judgment of the department, so similar thereto as to be likely to be mistaken for it, and which shall contain the words, "street railway company", at the end thereof.

(c) The termini of the railway.

(d) The length of the railway, as nearly as may be.

(e) The name of each county, city and town where the railway is to be located.

(f) The gauge of the railway, which shall be four feet eight and one half inches.

(g) The total amount of the capital stock of the company, which shall be not less than ten thousand dollars for each mile, unless the railway is to be wholly outside of a city, in which case said stock shall be not less than five thousand dollars for each mile.

Amount of capital stock, etc.

(h) The par value of the shares, which may be one hundred dollars, fifty dollars or twenty-five dollars as the department shall authorize.

Par value of shares.

(i) The names and residences of at least five persons, who shall be subscribers to the agreement of association, to act as directors until others are qualified in their stead.

Each associate shall subscribe to the agreement of association his name, residence, post office address, and the number of shares of stock which he agrees to take; but no subscriber shall be bound to pay more than ten per cent of the amount of his subscription unless a company is incorporated.

SECTION 2. Section one hundred and thirty-six of said chapter one hundred and sixty-one is hereby amended by striking out paragraph (i) and inserting in place thereof the following: —

G. L. 161, § 136, par. (i), amended.

(i) The par value of the shares, which may be one hundred dollars, fifty dollars or twenty-five dollars as the department shall authorize, — so as to read as follows: — *Section 136.* The purchasers at such sale shall, with their associates, to the number of at least fifteen, within sixty days after such sale, organize a company for the purpose of holding, owning and operating the street railway purchased, by filing in the office of the state secretary a written agreement of association, which shall state:

Agreement of association of street railway companies organized by purchasers from receivers, etc., contents.

(a) That the subscribers thereto associate themselves with the intention of forming a street railway company.

(b) The corporate name assumed, which shall be one not in use by any other street railway company in the commonwealth, or, in the judgment of the department, so similar thereto as to be likely to be mistaken for it, and which shall contain the words, "street railway company", at the end thereof.

(c) The corporate name of the company whose property and franchises have been purchased.

(d) The termini of the railway.

(e) The length of the railway, as nearly as may be.

(f) The name of each city and town where the railway is located.

(g) The name of the court by which the sale was ordered, the date of such order, and date of sale.

(h) The total amount of the capital stock of the company, which shall be fixed at an amount approved by the department, but which shall not exceed the fair cost, as determined by the department, of replacing the railway and property so acquired, less the amount of any outstanding mortgages to which said railway and property may be subject in the hands of the new company.

Amount of capital stock, etc.

(i) The par value of the shares, which may be one hundred dollars, fifty dollars or twenty-five dollars as the department shall authorize.

Par value of shares.

(j) The names and residences of at least five persons, who shall be subscribers to the agreement of association, to act as directors until others are chosen and qualified in their stead.

Each associate shall subscribe to the agreement of association his name, residence, post office address, and the number of shares of stock which he agrees to take.

G. L. 161, new section after § 20.

Street railway companies may change par value of shares, etc.

Approval by department of public utilities.

SECTION 3. Said chapter one hundred and sixty-one is hereby further amended by inserting after section twenty the following new section: — *Section 20A.* Every corporation subject to this chapter may, at a meeting duly called for the purpose, by the vote of a majority of all of its stock or, if two or more classes of stock have been issued, of a majority of each class outstanding and entitled to vote, authorize a change of the par value of the shares of its capital stock in accordance with paragraph (h) of section four or paragraph (i) of section one hundred and thirty-six; but such change shall not be effective unless the department shall approve the same on an application of the corporation filed within thirty days after the passage of such vote. The aggregate par value of the outstanding shares shall not be increased by a change in the par value thereof.

Approved May 25, 1923.

Chap. 492 AN ACT RELATING TO THE TERMS OF CERTAIN BONDS TO BE ISSUED BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

Term of state bonds for enlargement of Harvard square subway station.

SECTION 1. The term of the bonds which the state treasurer is authorized to issue under chapter three hundred and sixty of the acts of the current year, providing for the enlargement of the Harvard square station of the Cambridge subway, shall not exceed fifty years, as recommended by the governor in a message to the general court, dated May twenty-first, nineteen hundred and twenty-three, in pursuance of section three of article LXII of the amendments to the constitution.

Term of state bonds for completion of Old Colony boulevard.

SECTION 2. The term of the bonds which the state treasurer is authorized to issue under chapter three hundred and sixty-five of the acts of the current year, providing for the completion by the metropolitan district commission of the Old Colony boulevard, shall not exceed twenty years, as recommended by the governor in said message to the general court, in pursuance of the said provision of the constitution.

Term of state bonds for construction of part of Furnace Brook parkway.

SECTION 3. The term of the bonds which the state treasurer is authorized to issue under chapter three hundred and sixty-six of the acts of the current year, providing for the construction of a section of boulevard as a part of Furnace Brook parkway, shall not exceed twenty years, as recommended by the governor in said message to the general court, in pursuance of the said provision of the constitution.

Approved May 25, 1923.

AN ACT RELATIVE TO STATE PRINTING AND BINDING.

Chap.493

Be it enacted, etc., as follows:

Section one of chapter five of the General Laws, as amended by section five of chapter three hundred and sixty-two of the acts of the current year, is hereby further amended by adding at the end thereof the following new paragraph: — The commission on administration and finance shall from time to time make such contract or contracts for the printing and binding for the several departments of the government of the commonwealth as it deems advisable, subject to the approval of the governor and council. It shall take into consideration the circumstances and facilities of the several bidders for the work as well as the terms offered; it may reject any bids received, and it shall award contracts to such person or persons as in its judgment the interests of the commonwealth may require, and it shall execute the contract or contracts in the name and behalf of the commonwealth. Bonds satisfactory to the said commission shall be given by the parties to whom contracts are awarded, to secure the faithful performance of such contracts.

G. L. 5, § 1, etc., amended.

Commission on administration and finance to contract for state printing and binding, etc.

Contractors to give bonds.

Approved May 25, 1923.

AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Chap.494

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act, and for certain new activities and projects, the sums set forth in section two, for the particular purposes and subject to the conditions stated therein, are hereby appropriated from the general fund or ordinary revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

Appropriations to supplement certain items contained in the general appropriation act, and for certain new activities and projects.

SECTION 2.

Service of the Legislative Department.

Item		
3	For the compensation of representatives, the sum of three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$3,000 00
11	For compensation for travel of doorkeepers, assistant doorkeepers, messengers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same, a sum not exceeding one hundred and forty-four dollars, the same to be in addition to any amount heretofore appropriated for the purpose	144 00
12	For the salaries of the doorkeepers of the senate and house of representatives, and the postmaster, with the approval of the sergeant-at-arms, a sum not exceeding one hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	150 00

Legislative Department.

Legislative Department.	Item		
	13	For the salaries of assistant doorkeepers and messengers of the senate and house of representatives, with the approval of the sergeant-at-arms, a sum not exceeding twelve hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,250 00
	15	For the salaries of clerks employed in the legislative document room, a sum not exceeding one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	100 00
	18	For personal services of the counsel to the senate and assistants, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	300 00
	19	For personal services of the counsel to the house of representatives and assistants, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
	20	For clerical and other assistance of the senate committee on rules, a sum not exceeding one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	100 00
	21	For clerical and other assistance of the house committee on rules, a sum not exceeding four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	400 00
	23	For authorized traveling and other expenses of the committees of the present general court, with the approval of a majority of the committee incurring the same, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose and to cover the expenses of the special commission on coal investigation, both for the session and for the recess	10,000 00
	34a	For stenographic service to the committees on ways and means and taxation, sitting jointly, at the hearing on the report of the attorney general on the national bank tax, a sum not exceeding five hundred thirty-three dollars and thirty-eight cents	533 38
	34b	For procuring a portrait of former Chaplain Waldron of the house of representatives, with the approval of the speaker, a sum not exceeding two hundred and fifty dollars	250 00
	23	For compensating the sitting member in the contested election case of Hayes versus Symonds and Bergeron versus Symonds, to be paid with the approval of the speaker, a sum not exceeding two hundred and fifty dollars, the same to be in addition to any appropriations made under item twenty-three of the general appropriation act	250 00
	34d	For expenses of a special legislative committee to attend the celebration of the three hundredth anniversary of the town of Weymouth, a sum not exceeding three hundred dollars	300 00
		Total	\$17,777 38
	35½	For expenses of completing and printing the index of the General Laws, a sum not exceeding eight thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$8,000 00

Item		
35a	For preparing draft of bill for the extension of the metropolitan water system, and other services for the committee on water supply for nineteen hundred and twenty-two, with the approval of the attorney general, the sum of one thousand dollars	Legislative Department. \$1,000 00
<i>Service of Special Investigations.</i>		
35b	For expenses of the recess committee on banking laws for nineteen hundred and twenty-two, a sum not exceeding three hundred fifty-three dollars and forty-seven cents, the same to be in addition to any amount heretofore appropriated for the purpose	Special Investigations. \$353 47
35c	For expenses of the commission appointed to investigate old age and other pensions, as authorized by chapter forty-three of the resolves of the present year, a sum not exceeding fifteen thousand dollars	15,000 00
35d	For expenses of a special commission for investigation relative to criminal law, as authorized by chapter thirty-four of the resolves of the present year, a sum not exceeding five hundred dollars	500 00
35e	For expenses of the study of a drainage problem in the cities of Everett, Revere and Malden by the metropolitan district commission, as authorized by chapter thirty-nine of the resolves of the present year, a sum not exceeding fifteen hundred dollars, the same to be assessed upon the cities and parties benefited	1,500 00
35f	For expenses of the special commission to study jury service in the courts of the commonwealth with regard to making women eligible for such service, as authorized by chapter fifty-three of the resolves of the present year, a sum not exceeding three thousand dollars	3,000 00
35g	For expenses of the special commission to study a revision of the charter of the city of Boston, as authorized by chapter fifty-four of the resolves of the present year, a sum not exceeding five thousand dollars	5,000 00
35h	For expenses of the special commission to investigate the advisability of removing certain restrictions on land imposed by the commonwealth in the Back Bay district of the city of Boston, as authorized by chapter fifty-six of the resolves of the present year, a sum not exceeding five hundred dollars	500 00
35i	For expenses of the commission to investigate the advisability of providing a limitation of exemptions from local taxation of certain property, as authorized by chapter fifty-eight of the resolves of the present year, a sum not exceeding five hundred dollars	500 00
35j	For expenses of the committee on state administration during the recess while investigating certain matters relative to tuberculosis, a sum not exceeding three thousand dollars	3,000 00
35k	For expenses of the commission on higher education, as authorized by chapter thirty-three of the resolves of the present year, a sum not exceeding twenty-five hundred dollars	2,500 00
35l	For engineering services, travel and other expenses of the recess committee on water supply, a sum not exceeding five thousand dollars	5,000 00

	Item	
Special Investigations.	35m For travel and other expenses of the recess committee on public institutions, a sum not exceeding two thousand dollars	\$2,000 00
	35n For expenses of the recess committee on fire protection in apartment houses, a sum not exceeding two thousand dollars	2,000 00
	Total	\$40,853 47
	<i>Service of the Judicial Department.</i>	
Judicial Department. Supreme Judicial Court.	Supreme Judicial Court, as follows:	
	36 For the salaries of the chief justice and of the six associate justices, a sum not exceeding forty-seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$4,700 00
Superior Court.	Superior Court, as follows:	
	51 For printing, transportation of papers and documents, and office supplies, services and equipment, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
Probate and Insolvency Courts.	Probate and Insolvency Courts, as follows:	
	53 For the salaries of judges of probate of the several counties, a sum not exceeding twenty-two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,200 00
	55½ For expenses of judges of probate when acting outside their own counties for other judges of probate, as authorized by chapter three hundred and eighty-four of the acts of the present year, a sum not exceeding one thousand dollars	1,000 00
	56 For the salaries of registers of the several counties, a sum not exceeding twenty-two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,200 00
	57 For the salaries of assistant registers, a sum not exceeding nine hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	900 00
Registers of Probate and Insolvency, clerical assistance.	For clerical assistance to Registers of the several counties, as follows:	
	59 Berkshire, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	200 00
	67 Norfolk, a sum not exceeding seven hundred and twenty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	720 00
District Attorneys.	District Attorneys, as follows:	
	72 For the salaries of the district attorney and assistants for the northern district, a sum not exceeding sixteen hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,650 00
	73 For the salaries of the district attorney and assistants for the eastern district, a sum not exceeding seven hundred and eighty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	785 00
	74 For the salaries of the district attorney, deputy district attorney and assistants for the southeastern district, a sum not exceeding seven hundred and eighty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	785 00

Item			
75	For the salaries of the district attorney and assistants for the southern district, a sum not exceeding seven hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$750 00	District Attorneys.
76	For the salaries of the district attorney and assistants for the middle district, a sum not exceeding sixteen hundred and eighty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,685 00	
77	For the salaries of the district attorney and assistants for the western district, a sum not exceeding seven hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	750 00	
78	For the salary of the district attorney for the north-western district, a sum not exceeding three hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	350 00	
	Land Court, as follows:		
80	For salaries of the judge, associate judge, the recorder and court officer, a sum not exceeding one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	100 00	Land Court.
	Commission on Probation, as follows:		
84½	For expenses of the commission on probation in making an inquiry, as authorized by chapter fifty-five of the resolves of the present year, a sum not exceeding four thousand dollars	4,000 00	Commission on Probation.
	Total	\$23,775 00	

Service of the Executive Department.

96¼	For expenses of the joint New England railroad committee, as authorized by chapter twenty-six of the resolves of the present year, a sum not exceeding eleven thousand dollars	\$11,000 00	Executive Department.
96½	For expenses incurred on account of the differential rate proceedings pending, as authorized by chapter twenty-seven of the resolves of the present year, a sum not exceeding seventy-five hundred dollars	7,500 00	
96¾	For the purchase of a portrait of Governor Belcher of the Massachusetts Bay Province, a sum not exceeding thirty-five hundred dollars	3,500 00	
	Total	\$22,000 00	

Service of the Adjutant General.

98	For personal services of office assistants, a sum not exceeding three hundred and sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose, and the said sum of three hundred and sixty dollars is hereby taken from the amount appropriated in item one hundred and twenty-four of chapter one hundred and twenty-six of the acts of the present year.		Adjutant General.
99½	For expenses of recruiting for the national guard, a sum not exceeding seven hundred and fifty dollars	\$750 00	

Service of Militia.

	Item		
Militia.	108	For transportation of officers and non-commissioned officers for attendance at military meetings, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$2,000 00
	113	For maintenance of horses, a sum not exceeding two thousand and eighty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,080 00
	115	For compensation for special and miscellaneous duty, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,000 00
	119½	For the pay roll of certain bandsmen and cooks, members of the national guard, for the annual tour of duty in nineteen hundred and twenty-one, a sum not exceeding fourteen hundred sixty-three dollars and seventy-two cents, to be paid to the property and disbursing officer in settlement with the war department of the United States.	1,463 72
		Total	<hr/> \$8,543 72

Service of the Chief Quartermaster.

Chief Quartermaster.	132	For the maintenance of armories of the first class, a sum not exceeding fifteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$15,000 00
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Service of the Judge Advocate General.

Judge Advocate General.	139½	For compensation of the judge advocate general, as provided by law, a sum not exceeding seven hundred and fifty dollars	\$750 00
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Service of the Commission on Administration and Finance.

Commission on Administration and Finance.	142	For other expenses incidental to the duties of the commission, a sum not exceeding seven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$7,000 00
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Service of the Armory Commission.

Armory Commission.	147½	For expenses of regrading the lawn and approaches to the state armory in the town of Wakefield, a sum not exceeding one thousand dollars	\$1,000 00
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Service of the Commissioner of State Aid and Pensions.

Commissioner of State Aid and Pensions.	149	For personal services of the commissioner and deputy, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$500 00
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For Expenses on Account of Wars.

Expenses on Account of Wars. Certain tablets and dedication thereof.	155a	For expenses of certain tablets and the dedication thereof, as authorized by chapter forty-eight of the resolves of the present year, a sum not exceeding fifteen hundred dollars	\$1,500 00
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Item		
155b	For The American Legion, in reimbursement for certain expenses incurred in finding employment for returned soldiers in accordance with the methods adopted by the commission appointed under chapter one hundred and twenty-five of the General Acts of nineteen hundred and nineteen, for aiding returned soldiers, sailors and marines, the sum of fifty-three hundred thirty dollars and forty-eight cents	American Legion, reimbursement for finding employment for soldiers, etc. \$5,330 48
155c	For expenses of continuing the work of the commission for aiding returned soldiers, sailors and marines in finding employment, a sum not exceeding fifty-one hundred sixty-nine dollars and fifty-two cents	Commission for aiding returned soldiers, etc., in finding employment. 5,169 52
155d	For the preparation of a history of Massachusetts' part in the World War, as authorized by chapter four hundred and eight of the acts of the present year, a sum not exceeding five thousand dollars	History of Massachusetts' part in World War. 5,000 00
155e	For expenses of the observance of the twenty-fifth anniversary of the war with Spain, as authorized by chapter sixty-seven of the resolves of the present year, a sum not exceeding eight thousand dollars	Observance of twenty-fifth anniversary of war with Spain. 8,000 00
	Total	\$25,000 00

Service of the Art Commission.

156½	For expenses of making changes in inscriptions on certain tablets, under the direction of the art commission, a sum not exceeding one hundred dollars	Art Commission. \$100 00
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Service of the State Library.

160	For services other than personal, including printing the annual report, office supplies and equipment, and incidental traveling expenses, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	State Library. \$1,500 00
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Service of the Superintendent of Buildings.

163	For personal services of engineers, assistant engineers, firemen and helpers in the engineer's department, a sum not exceeding eleven hundred and twenty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Superintendent of Buildings. \$1,125 00
164	For personal services of watchmen and assistant watchmen, a sum not exceeding twelve hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,200 00
165	For personal services of porters, a sum not exceeding eight hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	850 00
170	For other services, supplies and equipment necessary for the maintenance and care of the state house and grounds, including repairs of furniture and equipment, a sum not exceeding thirty-six hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purposes	3,650 00

	Item		
Superintendent of Buildings.	170½	For certain improvements, as authorized by chapter fifty-one of the resolves of the present year, a sum not exceeding twelve thousand five hundred dollars	\$12,500 00
		Total	\$19,325 00

Service of the Commission on Necessaries of Life.

Commission on Necessaries of Life.	173½	For expenses of the commission on necessities of life, a sum not exceeding eighteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$18,000 00
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Service of the Treasurer and Receiver General.

		State Board of Retirement:	
Treasurer and Receiver General. State Board of Retirement.	214	For requirements of annuity funds and pensions for employees retired from the state service under authority of law, to cover the payment authorized by chapter twenty-one of the resolves of the present year, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$500 00

Unclassified Accounts and Claims.

Unclassified Accounts and Claims. Compensation of certain retired prison officers, etc.	222	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, and now retired, a sum not exceeding twenty-six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$2,600 00
Soldiers', etc., annuities and pensions.	226	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves, a sum not exceeding thirty-two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,200 00
Maintenance of boulevards and parkways.	227	For maintenance of boulevards and parkways, with the approval of the metropolitan district commission, a sum not exceeding thirty-three thousand seven hundred and fifty dollars, representing the state's portion or one half of the estimated cost of maintenance, the same to be in addition to any amount heretofore appropriated for the purpose, and to be paid from receipts in the Motor Vehicle Fees Fund	33,750 00
City of Gloucester.	234a	For the city of Gloucester, subject to the conditions of chapter four hundred and nine of the acts of the present year, a sum not exceeding ten thousand dollars	10,000 00
		Total	\$49,550 00

Claims.

Claims.		Payments for certain claims authorized by the following appropriations shall be certified by the comptroller of the commonwealth only upon the filing of satisfactory releases or other evidence that the payments are accepted in full compensation on the part of the commonwealth in respect thereto:	
Elizabeth Butler.	235g	For Elizabeth Butler of Cambridge, for damages to her property caused by a truck operated by a member of the national guard, the sum of two hundred and twenty-five dollars	\$225 00

Item		
235h	For John F. Osborn, for the refund of a certain payment made on account of an income tax erroneously assessed for the year nineteen hundred and nineteen, the sum of fifty dollars	John F. Osborn.
235i	For William J. Fortune of Boston, for injury to his gunning camp in West Barnstable caused by gun fire of certain members of the national guard in nineteen hundred and twenty-two, the sum of fifty dollars	William J. Fortune.
235j	For C. Philip Curtis of Sharon, for damages to his automobile as a result of a collision with a motor vehicle operated by an employee of the division of highways of the department of public works, the sum of fifty-eight dollars and twenty-two cents	C. Philip Curtis.
235k	For Louis E. Fletcher of Fitchburg, for reimbursement for expenses incurred in the year nineteen hundred and thirteen as a member of the state board of agriculture, the sum of twenty-four dollars and forty-nine cents	Louis E. Fletcher.
235l	For Alfred R. Goodwin of Worcester, for damages to his automobile as the result of a collision with a motor vehicle operated by an employee of the division of highways of the department of public works, the sum of ninety dollars	Alfred R. Goodwin.
235m	For Bryant Bigelow of Boston, for damages to his automobile as the result of a collision with a motor vehicle operated by an employee of the division of highways of the department of public works, the sum of two hundred forty-five dollars and eighty-eight cents	Bryant Bigelow.
235n	For Josephine V. Lincoln of Wareham, for reimbursement for income taxes illegally assessed, the sum of three hundred sixty-nine dollars and sixty-three cents	Josephine V. Lincoln.
235o	For Wilmot Thompson of Malden, for compensation for injuries sustained by reason of an accident while a member of the national guard, the sum of seven hundred and fifty dollars	Wilmot Thompson.
235p	For John Wills of Adams, for loss of a cow injured by the national guard, the sum of one hundred dollars	John Wills.
235q	For Fred Bourdo of Adams, for loss of a cow injured by the national guard, the sum of seventy-five dollars	Fred Bourdo.
235r	For L. A. Gillett, for the loss of a rain coat destroyed by action of oil and acid at the plant of the Massachusetts Oil Refining Company in East Braintree, about September first, nineteen hundred and twenty-one, the sum of twenty dollars	L. A. Gillett.
235s	For Harold F. Morris, for compensation by reason of sickness incurred while on duty as a member of the national guard, the sum of fifteen hundred eighty-three dollars and sixty cents	Harold F. Morris.
235t	For Bridget McLaughlin of Boston, mother of the late William McLaughlin, for compensation for the death of her son by accident at Commonwealth pier, South Boston, on April sixteenth, nineteen hundred and twenty-three, the sum of twenty-one hundred and twenty dollars	Bridget McLaughlin.
235u	For M. Ferreira of Fall River, to cover damages to his automobile caused by collision with a watering cart under tow of car operated by an employee of the division of highways of the department of public works, the sum of five hundred dollars	M. Ferreira.

\$50 00

50 00

58 22

24 49

90 00

245 88

369 63

750 00

100 00

75 00

20 00

1,583 60

2,120 00

500 00

	Item		
R. S. Whitten.	235v	For R. S. Whitten of Foxborough, for damage to property caused by a grass fire started by sparks from steam roller owned by the division of highways of the department of public works, the sum of seventy-five dollars	\$75 00
American Sugar Refining Company.	235w	With the approval of the attorney general, for the settlement of all claims of the American Sugar Refining Company against the commonwealth for sugar alleged to have been contracted for by state institutions, a sum not exceeding two thousand dollars	2,000 00
Total			\$8,336 82

Service of the Department of Agriculture.

Department of Agriculture.	258½	For the supervision and care of school boys working upon farms during the present season, a sum not exceeding two thousand dollars, to be expended with the approval of the commissioner	\$2,000 00
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Service of the Department of Conservation.

Administration:			
Department of Conservation.	262	For the salary of the commissioner, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$500 00
Division of Forestry:			
Division of Forestry.	270	The appropriation heretofore made for the suppression of gypsy and brown tail moths, in item two hundred and seventy of the general appropriation act, shall be in addition to any amount heretofore appropriated for the purpose, and any unexpended balance remaining at the end of the present fiscal year may be used in the succeeding year.	
Myles Standish Monument:			
Myles Standish Monument.	276	For expenses of repairing damage done by lightning to the statue of Myles Standish in the town of Duxbury, a sum not exceeding two thousand dollars	2,000 00
For certain improvements to be made under the direction of the Division of Fisheries and Game, as follows:			
Division of Fisheries and Game.	289	The appropriation made in item two hundred and eighty-nine of the general appropriation bill shall be in addition to any unexpended balance of appropriations made in the preceding year.	
	292	Of the sum of fifteen hundred dollars appropriated for improvements at the Sandwich fish hatchery, five hundred dollars may be used for improvements at the Amherst rearing station.	
	293	Of the sum of fifteen hundred dollars appropriated for improvements at the Sandwich bird farm, five hundred dollars may be used for improvements at the Marshfield game farm.	
	294a	The unexpended balance of an appropriation made in nineteen hundred and twenty-two for improvements at Martha's Vineyard reservation is hereby made available for expenses of the current year.	
Total			\$2,500 00

Service of the Department of Banking and Insurance.

Item		
	Division of Savings Bank Life Insurance:	
317	For services other than personal, printing the annual report, and traveling expenses, office supplies and equipment, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	Department of Banking and Insurance. Division of Savings Bank Life Insurance. \$1,000 00

Service of the Department of Corporations and Taxation.

320	For the salaries of certain positions filled by the commissioner, with the approval of the governor and council, and for additional clerical and other assistance, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	Department of Corporations and Taxation. \$2,000 00
321	For traveling expenses, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	1,500 00

Division of Accounts:

327	For other expenses, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	Division of Accounts. 1,000 00
328	For services and expenses of auditing and installing municipal accounts, the cost of which is to be assessed upon the municipalities for which the work is done, a sum not exceeding four thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	4,000 00
329	For the expense of certain books, forms and other material, which may be sold to cities and towns requiring the same for maintaining their system of accounts, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	2,000 00

Reimbursement for loss of taxes:

330	For reimbursing cities and towns for loss of taxes on land used for state institutions, as certified by the commissioner of corporations and taxation, for the fiscal year ending November thirtieth, nineteen hundred and twenty-three, a sum not exceeding forty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	Reimbursement to cities and towns for loss of certain taxes. 4,500 00
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Total	\$15,000 00
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Service of the Department of Education.

341½	For aid to certain persons receiving instruction in the courses for vocational rehabilitation, as authorized by chapter four hundred and thirty-four of the acts of the present year, a sum not exceeding twenty-five hundred dollars . . .	Department of Education. \$2,500 00
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Massachusetts Agricultural College:

367	For maintenance and current expenses, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	Massachusetts Agricultural College. 1,000 00
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Item		
Worcester normal school.	388 For the maintenance and improvement of the state normal schools, and the boarding halls attached thereto, with the approval of the commissioner of education, as follows: Worcester normal school, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	\$300 00
Normal art school.	390 Normal art school, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	200 00
Purchase of historical manuscript.	394½ Purchase of historical manuscript: For the purchase of manuscript of historical importance to Massachusetts, prepared by Raymond L. Bridgman, to be expended with the approval of the commissioner of education, a sum not exceeding fifteen hundred dollars	1,500 00
Total		\$5,500 00

Service of the Department of Civil Service and Registration.

		Board of Registration of Nurses:
Department of Civil Service and Registration. Board of Registration of Nurses.	412 For services of clerical assistants in their office, a sum not exceeding one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$100 00

Service of the Department of Mental Diseases.

Department of Mental Diseases.	449 For personal services of officers and employees, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$2,000 00
	454a For expenses incurred by the department of mental diseases for the preparation of preliminary studies and estimates, as required by section nine of chapter twenty-nine of the General Laws, where no appropriation is made to carry out the improvement requested, a sum not exceeding six thousand dollars, and such additional sum as may be required may be paid from item two hundred and thirty-four of the general appropriation act	6,000 00
Institutions under control of Department of Mental Diseases.	For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Diseases:	
	454b For providing additional sums for the maintenance of the several institutions in the department of mental diseases, particularly for personal services, food, coal and other necessary supplies, milch cows, additional fire protection and certain equipment to produce increased efficiency in power plant operations, a sum not exceeding two hundred ten thousand dollars, this sum to be transferred by the department of mental diseases to the several institutions from time to time as is warranted by facts which develop during the balance of the fiscal year	210,000 00
Templeton Colony of Massachusetts School for Feeble-Minded.	470½ For replacing a dwelling house destroyed by fire at the Templeton Colony of the Massachusetts School for Feeble-Minded, a sum not exceeding forty-five hundred dollars	4,500 00

Item

Belchertown State School:

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|------|--|------------------------------|
| 491a | For the purchase and setting of an additional boiler, a sum not exceeding seventy-eight hundred dollars; for the building of walks, a sum not exceeding five thousand dollars; and for repairs to gutters and conductor pipes damaged by freezing, the sum of twenty-four hundred thirty-one dollars and twenty cents. The total for these improvements, amounting to fifteen thousand two hundred thirty-one dollars and twenty cents, shall be taken from item five hundred and seven of the general appropriation act of nineteen hundred and twenty-two for the extension of spur track and construction of a trestle and coal pocket. | Belchertown
State School. |
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Total	\$222,500 00
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Service of the Department of Correction.

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|-----|--|--|
| 493 | For personal services of deputies, members of the board of parole and advisory board of pardons, agents, clerks and stenographers, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose | Department of
Correction.

\$300 00 |
|-----|--|--|

For the maintenance of and for certain improvements at the following institutions under the control of the Department of Correction:

- | | | |
|-----|---|---|
| 501 | State farm, a sum not exceeding eight thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose | Institutions
under control
of Department
of Correction.
State farm.

8,000 00 |
| 502 | State prison, a sum not exceeding sixty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose | State prison.

6,500 00 |
| 503 | Massachusetts reformatory, a sum not exceeding ninety-one hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose | Massachusetts
reformatory.

9,150 00 |
| 505 | Reformatory for women, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose | Reformatory
for women.

3,000 00 |

Total	\$26,950 00
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Service of the Department of Public Welfare.

Division of Aid and Relief:

- | | | |
|-----|--|--|
| 519 | For the transportation of state paupers under the charge of the department, for the present year and previous years, a sum not exceeding eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose | Department
of Public
Welfare.
Division of
Aid and
Relief.

\$800 00 |
|-----|--|--|

The following item is for reimbursement of cities and towns:

- | | | |
|-----|---|--|
| 522 | For expenses in connection with smallpox and other diseases dangerous to the public health, for the present year and previous years, a sum not exceeding twenty-five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose | Reimburse-
ment of cities
and towns for
certain
expenses.

25,000 00 |
|-----|---|--|

Item			
		Division of Child Guardianship:	
Division of Child Guardianship.	527	Item five hundred and twenty-seven of the general appropriation bill is hereby made available for expenses of the present and previous years.	
		For the maintenance of and for certain improvements at the institutions under the control of the trustees of the Massachusetts training schools, with the approval of said trustees, as follows:	
Institutions under control of trustees of Massachusetts training schools.	538	Industrial school for boys, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$3,000 00
Industrial school for boys.	542	Lyman school for boys, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	10,000 00
	542a	For equipment and furnishings for a fireproof kitchen and storehouse building at the Lyman school for boys, a sum not exceeding four thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	4,000 00
		Massachusetts Hospital School:	
Massachusetts hospital school.	543	For the maintenance of the Massachusetts hospital school, to be expended with the approval of the trustees thereof, a sum not exceeding forty-eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	4,800 00
	543a	For additions and changes in the power building, for the purchase and erection of an additional boiler and other power plant equipment and changes, for the erection of a laundry building and the purchase of laundry equipment, piping and other connections necessary for the new construction, a sum not exceeding forty-two thousand eight hundred and forty-five dollars	42,845 00
	543b	For remodeling the old infirmary building for use as home for employees, a sum not exceeding seven thousand dollars	7,000 00
	543c	For the payment of certain expenses for legal services in land takings, a sum not exceeding five hundred fourteen dollars and eighty-eight cents	514 88
		Total	\$97,959 88

Service of the Department of Public Health.

		Inspection of Food and Drugs:	
Department of Public Health.	563	For personal services of the director, analysts, inspectors and other assistants, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$3,500 00
Inspection of Food and Drugs.	564	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,500 00
		Water Supply and Disposal of Sewage, Engineering Division:	
Water Supply and Disposal of Sewage, Engineering Division.	565	For personal services of the director, engineers, clerks and other assistants, a sum not exceeding thirty-four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,400 00

Item		
566	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding eighteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Water Supply and Disposal of Sewage, Engineering Division. \$1,800 00
566a	For expenses of the investigation authorized by chapter sixty-four of the resolves of the present year, a sum not exceeding four thousand dollars, the same to be assessed upon the towns and county benefited in accordance with the provisions of the said chapter	4,000 00
566b	For expenses of the investigation in the Merrimack Valley, authorized by chapter forty-nine of the resolves of the present year, a sum not exceeding twenty thousand dollars, the same to be assessed upon the towns benefited	20,000 00
Water Supply and Disposal of Sewage, Division of Laboratories:		
567	For personal services of laboratory director, chemists, clerks and other assistants, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Water Supply and Disposal of Sewage, Division of Laboratories. 1,500 00
Neponset River:		
570a	For expenses of procuring expert engineering testimony and other information for the special tribunal appointed by the supreme judicial court to determine the assessment of betterments on property affected by the drainage improvements in the Neponset river, a sum not exceeding five thousand dollars	Neponset River. 5,000 00
For the maintenance of and for certain improvements at the sanatoria, as follows:		
574	For the Lakeville state sanatorium, a sum not exceeding eighty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Sanatoria, maintenance, etc. Lakeville state sanatorium. 8,500 00
575a	For providing additional fire protection at the Lakeville state sanatorium, a sum not exceeding sixty-eight hundred dollars	6,800 00
579	For the Westfield state sanatorium, a sum not exceeding ten thousand four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Westfield state sanatorium. 10,400 00
Total		\$66,400 00

Service of the Department of Public Safety.

Administration:		
581	For the salary of the commissioner, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Department of Public Safety. \$500 00
582	For personal services of clerks and stenographers, a sum not exceeding eleven hundred and eighty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,180 00

	Item		
Department of Public Safety.	583	For contingent services, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and moving picture licenses, as required by law, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$2,500 00
		Division of Inspection:	
Division of Inspection.	589	For the salaries of officers for the building inspection service, a sum not exceeding two thousand and ten dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	2,010 00
	590	For traveling expenses of officers for the building inspection service, a sum not exceeding four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	400 00
		Steamer "Lotis":	
Steamer "Lotis".	598	For the purchase or building of a boat to replace the steamer "Lotis", with the approval of the commission on administration and finance, a sum not exceeding twenty-two thousand five hundred dollars, and authority is hereby given for the sale of the steamer "Lotis" by the commissioner, with the approval of the commission on administration and finance	22,500 00
		Total	\$29,090 00

Service of the Department of Public Works.

Department of Public Works. State highway in Hingham.	623a	For the construction of a state highway in the town of Hingham, as authorized by chapter four hundred and eighteen of the acts of the present year, a sum not exceeding fifty thousand dollars in anticipation of a further sum of one hundred thousand dollars to be appropriated in the fiscal year nineteen hundred and twenty-four; provided, however, that the town of Hingham is hereby authorized and required to raise and pay into the treasury of the commonwealth the sum of one hundred thousand dollars before the work authorized by this appropriation begins . . .	\$50,000 00
		Division of Waterways and Public Lands:	
Division of Waterways and Public Lands.	631	For the supervision and operation of Commonwealth pier five, including the salaries or other compensation of employees, and for the repair and replacement of equipment and other property, there may be expended such additional sum, not exceeding twenty thousand dollars, from item six hundred and thirty-three of the general appropriation act as may be needed.	
	634	For the operation and maintenance of the New Bedford state pier, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,000 00
		Specials:	
Specials. Plymouth harbor improvement.	637a	For the improvement of Plymouth harbor, as authorized by chapter forty-six of the resolves of the present year, a sum not exceeding fifty-one thousand dollars	51,000 00

Item		
637b	For the construction of a breakwater in the town of Hull at Pemberton Point, as authorized by chapter four hundred and forty of the acts of the present year, a sum not exceeding thirty thousand dollars	Breakwater at Pemberton Point in Hull.
		\$30,000 00
637c	For the construction of a new channel in Herring river in the town of Wellfleet, a sum not exceeding ten thousand dollars	New channel in Herring river.
		10,000 00
642a	For the improvement of Neponset river, as authorized by chapter three hundred and fifty-three of the acts of the present year, the sum of twenty-seven thousand dollars from receipts in the Port of Boston Fund, and in addition thereto the sum of thirteen thousand dollars is hereby transferred from the appropriation made in item six hundred and thirty-nine of the general appropriation act	Neponset river improvement.
		27,000 00
Total		\$170,000 00

Service of the Department of Public Utilities.

The following items are to be assessed upon the gas and electric light companies:		Department of Public Utilities.
656	For other services, printing the annual report, for rent of offices and for necessary office supplies and equipment, a sum not exceeding twelve hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Items to be assessed upon gas and electric light companies.
		\$1,200 00
657a	For expenses of the investigation relative to the gas works explosion in Springfield, a sum not exceeding thirteen hundred seventy-eight dollars and twenty-nine cents	Expenses, gas works explosion in Springfield.
		1,378 29
Total		\$2,578 29

Miscellaneous.

18	For personal services of the counsel to the senate and assistants, a sum not exceeding eight hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Miscellaneous. Counsel to senate.
		\$850 00
227a	For maintenance of boulevards and parkways, for making temporary repairs to the Cottage Farm bridge to put it in safe condition pending the completion of the temporary bridge, a sum not exceeding seventy-five hundred dollars, representing the state's portion or one half of the estimated cost	Maintenance of boulevards and parkways.
		7,500 00

Division of Highways (the following appropriations for the operation and maintenance of this division, except as otherwise provided, are made from the receipts in the Motor Vehicle Fees Fund):

609	For the personal services of the chief engineer, engineers and office assistants, including certain clerks and stenographers, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Division of Highways.
		3,000 00
614	For the construction and repair of town and county ways, a sum not exceeding seventy-one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	
		71,000 00

	Item		
Division of Highways.	619	For the care of snow on highways, as provided by section eleven of chapter eighty-four of the General Laws, a sum not exceeding twenty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$20,000 00
		Division of Waterways and Public Lands:	
Division of Waterways and Public Lands.	635a	For expenses authorized by chapter four hundred and fifty-three of the acts of the present year, relative to access to great ponds, a sum not exceeding five hundred dollars . . .	500 00
	35½a	For expenses of the commission to investigate and report relative to highways, parks and reservations along the Connecticut river, as authorized by chapter sixty-nine of the resolves of the present year, a sum not exceeding one thousand dollars . . .	1,000 00
Division of metropolitan planning of the metropolitan district commission.	35½b	For expenses of the division of metropolitan planning of the metropolitan district commission in making an investigation relative to the Saugus branch of the Boston and Maine Railroad, as authorized by chapter seventy-one of the resolves of the present year, a sum not exceeding five thousand dollars, the same to be assessed in accordance with provisions of said resolve . . .	5,000 00
Special commission to acquire land in St. Mihiel, France.	35½c	For expenses of the special commission authorized to acquire land in St. Mihiel, France, for construction of a memorial, as authorized by chapter seventy-three of the resolves of the present year, a sum not exceeding nineteen thousand dollars . . .	19,000 00
Registration of public accountants.	310	The unexpended balance of the appropriation made in item three hundred and ten of the general appropriation act is hereby made available for expenses authorized by chapter four hundred and seventy of the acts of the present year relative to registration of public accountants.	
		Department of Industrial Accidents:	
Department of Industrial Accidents.	423	For personal services of members of the board, a sum not exceeding seventeen hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	1,750 00
	424	For personal services of secretaries, medical adviser, inspectors, clerks and office assistants, a sum not exceeding two hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	250 00
		Justices of District Courts:	
Justices of District Courts.	52a	For expenses of justices of the district courts when called upon to serve on cases of the superior court, as authorized by chapter four hundred and sixty-nine of the acts of the present year, a sum not exceeding one thousand dollars . . .	1,000 00
		Division of Highways:	
Division of Highways. Highway in city of Revere.	623b	For the construction of a highway in the city of Revere, as authorized by chapter five hundred and one of the acts of nineteen hundred and twenty-two, as amended by chapter four hundred and eighty-one of the acts of the present year, at a cost not exceeding one hundred thousand dollars, one half of which shall be assessed upon the metropolitan parks district, and the balance of fifty thousand dollars shall be paid from Motor Vehicle Fees Fund . . .	50,000 00

Item

District Attorneys:

71	For salaries of the district attorney and assistants for the county of Suffolk, a sum not exceeding forty-five hundred dollars to cover the services of temporary assistants provided by law, and to be in addition to any amount heretofore appropriated for the purpose	District Attorneys.	\$4,500 00
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Metropolitan District Commission.

The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the metropolitan district commission:

664	For maintenance of park reservations, a sum not exceeding eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose, and to cover certain annuities provided by resolves of the present year	Metropolitan District Commission.	\$800 00
664 ³	For expenses of an investigation relative to a new Harvard bridge, as authorized by chapter forty-seven of the resolves of the present year, a sum not exceeding twenty-five thousand dollars, to be assessed upon the metropolitan parks district		25,000 00
665 ¹	For expenses of the metropolitan planning board, as authorized by chapter three hundred and ninety-nine of the acts of the present year, a sum not exceeding fifteen thousand dollars		15,000 00
668	For maintenance of boulevards and parkways, a sum not exceeding thirty-three thousand seven hundred and fifty dollars, the same to be in addition to the amount appropriated from the general fund and to be in addition to any amount heretofore appropriated for the purpose		33,750 00
668a	For maintenance of boulevards and parkways, for making temporary repairs to the Cottage Farm bridge to put it in safe condition pending the completion of the temporary bridge, a sum not exceeding seventy-five hundred dollars, the same to be in addition to the amount appropriated from the general fund		7,500 00
670 ¹	For expenses relative to additional sewers in the town of Arlington and the city of Medford, as authorized by chapter sixty-five of the resolves of the present year, a sum not exceeding thirty thousand dollars, to be assessed upon the north metropolitan sewerage district		30,000 00
Total			\$112,050 00

Deficiencies.

For deficiencies in certain appropriations of previous years in certain items, as follows:	Deficiencies.
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Department of the Secretary of the Commonwealth.

For printing registration books and blanks and indexing returns, the sum of three hundred thirty-three dollars and twenty-five cents	Department of the Secretary of the Commonwealth.	\$333 25
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	Item	
Department of the Secretary of the Commonwealth.		<p>Section two of chapter one hundred and twenty-six of the acts of the present year is hereby amended in the list of deficiencies by striking out the paragraph for matters relating to elections and inserting in place thereof the following: For expenses of compiling and publishing information to voters, as required by section fifty-four of chapter fifty-four of the General Laws, the sum of seventeen thousand five hundred eleven dollars and eighty-six cents.</p>
		<i>Attorney-General's Department.</i>
Attorney-General's Department.		<p>For the compensation of assistants in his office, and for such other legal and personal services as may be required, the sum of fifty-six hundred eighty-eight dollars and seventy-two cents</p>
		\$5,688 72
		<p>For services other than personal, traveling expenses, office supplies and equipment, the sum of seven hundred fifteen dollars and fifty-five cents</p>
		715 55
		<i>Judicial Department.</i>
Judicial Department. Superior Court.		<p>Superior Court: For traveling allowance and expenses, the sum of three hundred seventy dollars and eighty-nine cents</p>
		370 89
		<i>Expenses on Account of Wars.</i>
Expenses on Account of Wars.		<p>For the placing in the state house of memorials for certain chaplains, as authorized by chapter forty-five of the resolves of nineteen hundred and twenty-one, the sum of eighty-one dollars and eighty-four cents</p>
		81 84
		<i>Department of Public Welfare.</i>
Department of Public Welfare.		<p>Trustees of Massachusetts Training Schools, Girls' Parole: For reimbursement of cities and towns for tuition of children attending the public schools, the sum of eighty-three dollars and six cents</p>
		83 06
		<p>Total</p>
		\$7,273 31
		<p>General Fund</p>
		\$1,103,462 87
		<p>Metropolitan District Commission</p>
		112,050 00
		<p>Grand Total</p>
		\$1,215,512 87

SECTION 3. This act shall take effect upon its passage.

Approved May 25, 1923.

RESOLVES.

RESOLVE VALIDATING THE ACTS OF FRANCIS M. HALL OF BROCKTON AS A NOTARY PUBLIC. Chap. 1

Resolved, That the acts of Francis M. Hall of Brockton as a notary public, between July nineteenth, nineteen hundred and twenty-two, and November twenty-second, nineteen hundred and twenty-two, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Acts of
Francis M. Hall
as a notary pub-
lic validated.

Approved February 20, 1923.

RESOLVE VALIDATING THE ACTS OF ARTHUR J. YOUNG OF WORCESTER AS A NOTARY PUBLIC. Chap. 2

Resolved, That the acts of Arthur J. Young of Worcester as a notary public, between August eighteenth, nineteen hundred and twenty-two, and January thirty-first, nineteen hundred and twenty-three, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Acts of
Arthur J.
Young as a
notary public
validated.

Approved February 20, 1923.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DIVISION OF HIGHWAYS INTO THE QUESTION OF SNOW AND ICE RE- MOVAL FROM HIGHWAYS. Chap. 3

Resolved, That the division of highways of the department of public works be directed to inquire into the most feasible methods of keeping the more important highways of the commonwealth free of snow and ice in such manner as to insure their uninterrupted use, especially those constituting through routes between the different sections thereof; as to what governmental agencies should undertake the work involved; the extent to which and the manner in which the commonwealth, acting through the said division, may co-operate in the work with the several counties, cities and towns, and private agencies and organizations; and as to the just and equitable apportionment of the expense incurred thereby. The division may hold hearings in such cities and towns as it may deem advisable and may summon witnesses. The division shall, on or before April fifteenth of the current year, make to the general court a preliminary report of the results of its investigations, with recommendations, accompanied by drafts of any proposed legislation, and shall, on or before November fifteenth of the current year, file with the clerk of

Investigation of
question of
snow and ice
removal from
highways.

Preliminary
report.

Final report.

the house of representatives a final report of such results, containing its further recommendations, if any, accompanied by drafts of any proposed legislation based thereon.

Approved February 20, 1923.

Chap. 4 RESOLVE VALIDATING THE ACTS OF GEORGE R. BRACKETT OF BOSTON AS A NOTARY PUBLIC.

Acts of George R. Brackett as a notary public validated.

Resolved, That the acts of George R. Brackett of Boston as a notary public, between January twenty-fifth, nineteen hundred and eighteen, and August ninth, nineteen hundred and twenty-two, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Approved February 20, 1923.

Chap. 5 RESOLVE ESTABLISHING THE ELIGIBILITY OF MAY B. THORPE OF BROCKTON TO RECEIVE STATE AID OR SOLDIERS' RELIEF.

Establishment of eligibility of May B. Thorpe to receive state aid or soldiers' relief.

Resolved, That, for the purpose of establishing the eligibility of May B. Thorpe of Brockton to receive state aid or soldiers' relief as the widow of a civil war veteran under the provisions of chapter one hundred and fifteen of the General Laws, her marriage to Joshua Thorpe (or Thorp), late of the twenty-fourth company unattached Massachusetts infantry, shall be regarded as valid.

Approved March 9, 1923.

Chap. 6 RESOLVE PROVIDING FOR A CONTINUATION OF THE INVESTIGATION AS TO THE ADVISABILITY OF STANDARDIZING MUNICIPAL REGULATIONS RELATIVE TO PLUMBING AND DRAINAGE.

Continuance of investigation as to standardizing municipal regulations relative to plumbing and drainage.

Resolved, That the department of public health be authorized to continue the investigation, provided for by chapter nine of the resolves of nineteen hundred and twenty and further provided for by chapter forty of the resolves of nineteen hundred and twenty-one and chapter nineteen of the resolves of nineteen hundred and twenty-two, relative to the advisability of revising and codifying the rules, regulations and ordinances of the various cities and towns of the commonwealth concerning plumbing, house drainage and like subjects. Report thereon shall be made to the general court not later than the second Wednesday in January, nineteen hundred and twenty-four.

Approved March 21, 1923.

Chap. 7 RESOLVE VALIDATING CERTAIN ACTS OF LAURENCE A. BROWN OF BOSTON AS A JUSTICE OF THE PEACE.

Acts of Laurence A. Brown as a justice of the peace validated.

Resolved, That the acts of Laurence A. Brown of Boston as a justice of the peace, between October twentieth, nineteen hundred and twenty-two, and February twentieth, nineteen hundred and twenty-three, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of said office.

Approved March 28, 1923.

RESOLVE VALIDATING THE ACTS OF HARRY A. COWLES AS A NOTARY PUBLIC. *Chap. 8*

Resolved, That the acts of Harry A. Cowles of Westfield as a notary public, between October thirteenth, nineteen hundred and twenty-two and March nineteenth, nineteen hundred and twenty-three, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of said office. *Approved March 29, 1923.*

Acts of
Harry A.
Cowles as a
notary public
validated.

RESOLVE GRANTING AN ANNUITY TO HANNAH J. PELLIS OF MASHPEE. *Chap. 9*

Resolved, That there be paid annually from the treasury of the commonwealth, in equal quarterly instalments, from January first, nineteen hundred and twenty-three, the sum of one hundred and fifty dollars to Hannah J. Pellis of Mashpee, a descendant of the Mashpee tribe of Indians. Said annuity shall continue during her life. The first payment under authority of this resolve shall not be made until an appropriation is made sufficient to cover the same. *Approved March 29, 1923.*

Annuity to
Hannah J.
Pellis of
Mashpee.

RESOLVE GRANTING AN ANNUITY TO CHARLES H. PETERS OF MASHPEE. *Chap. 10*

Resolved, That there be paid annually from the treasury of the commonwealth, in equal quarterly instalments from January first, nineteen hundred and twenty-three, the sum of one hundred and fifty dollars to Charles H. Peters of Mashpee, a descendant of the Algonquin tribe of Indians. Said annuity shall continue during his life. The first payment under authority of this resolve shall not be made until an appropriation is made sufficient to cover the same. *Approved March 29, 1923.*

Annuity to
Charles H.
Peters of
Mashpee.

RESOLVE EXTENDING THE TIME FOR THE PAYMENT OF AN ANNUITY TO EMMA E. DE SHAZO OF WORCESTER. *Chap. 11*

Resolved, That the time for the payment of an annuity of five hundred dollars, payable in equal quarterly instalments, to Emma E. De Shazo, under the provisions of chapter ten of the resolves of nineteen hundred and seventeen is hereby extended for a further period of six years; provided, that she so long survives and remains unmarried. Payments for the current year authorized by this resolve shall be made from item two hundred and twenty-six of the general appropriation act. *Approved March 29, 1923.*

Annuity to
Emma E.
De Shazo of
Worcester, time
extended.

Proviso.

RESOLVE IN FAVOR OF CHARLES F. PIDGIN OF MELROSE. *Chap. 12*

Resolved, That there be allowed and paid out of the treasury of the commonwealth to Charles F. Pidgin of Melrose, annually so long as he shall live, the sum of five hundred dollars, in equal monthly instalments, in recognition of his faithful service in the bureau of statistics of labor from the year eighteen hundred and seventy-three to the year nineteen hundred and seven. The

In favor of
Charles F.
Pidgin of
Melrose.

first instalment hereunder shall be payable one month after the payment of the last instalment under authority of chapter ten of the resolves of nineteen hundred and eighteen. Payments made during the current fiscal year under authority of this resolve shall be paid from item two hundred and twenty-six of the general appropriation act of the current year.

Approved March 29, 1923.

Chap. 13 RESOLVE GRANTING AN ANNUITY TO SERWANA S. WHITING OF MASHPEE.

Annuity to
Serwana S.
Whiting of
Mashpee.

Resolved, That there be paid annually from the treasury of the commonwealth, in quarterly instalments, from January first, nineteen hundred and twenty-three, the sum of one hundred and fifty dollars to Serwana S. Whiting of Mashpee, a descendant of the Mashpee tribe of Indians. Said annuity shall continue during her life. The first payment under authority of this resolve shall not be made until an appropriation is made sufficient to cover the same.

Approved March 29, 1923.

Chap. 14 RESOLVE PROVIDING FOR AN INVESTIGATION AS TO THE EXPEDIENCY AND COST OF REBUILDING SLADES FERRY BRIDGE IN THE CITY OF FALL RIVER.

Investigation
as to rebuild-
ing Slades Ferry
bridge in city of
Fall River.

Resolved, That the departments of public works and public utilities, acting jointly, are hereby directed to investigate the expediency and cost of rebuilding Slades Ferry bridge in the city of Fall River; the expediency and cost of maintaining such bridge in part by the commonwealth as part of a state highway; and the expediency and cost of enlarging the present draw in said bridge. The departments shall investigate particularly the question of the safety of the present structure and the question as to whether it reasonably meets the traffic demands of the locality. They shall report their findings and recommendations, together with drafts of bills embodying the same, to the general court not later than May first, nineteen hundred and twenty-three.

Approved March 29, 1923.

Chap. 15 RESOLVE GRANTING AN ANNUITY TO NANCY LYDIA AMES OF DEDHAM.

Annuity to
Nancy Lydia
Ames of Ded-
ham.

Resolved, That there be paid annually from the treasury of the commonwealth, in equal quarterly instalments, from January first, nineteen hundred and twenty-three, the sum of one hundred and fifty dollars, to Nancy Lydia Ames of Dedham, a descendant of the Narragansett tribe of Indians. Said annuity shall continue during her life. The first payment under authority of this resolve shall not be made until an appropriation is made sufficient to cover the same.

Approved March 29, 1923.

Chap. 16 RESOLVE EXTENDING THE TIME FOR THE PAYMENT OF AN ANNUITY TO THE WIDOW OF RICHARD M. MCCARTHY.

Annuity to
widow of
Richard M.

Resolved, That there be paid from the treasury of the commonwealth, for a further period of three years, the sum of six

hundred dollars a year to Catherine F. McCarthy, widow of Richard M. McCarthy who died December eighteenth, nineteen hundred and eighteen, from illness contracted while in the performance of his duties as a member of the metropolitan park police force. Said annuity shall be subject to the conditions named in chapter fifty-six of the resolves of nineteen hundred and twenty, and shall be payable from and after the period covered by said resolve. Payments provided for herein shall be made from appropriations for the maintenance of the metropolitan park reservations, and for the current fiscal year from item six hundred and sixty-four of the general appropriation act.

McCarthy, time extended.

Approved March 29, 1923.

RESOLVE AUTHORIZING THE ERECTION ON PENIKESE ISLAND OF A MARKER IN HONOR OF LOUIS AGASSIZ. *Chap. 17*

Resolved, That the Marine Biological Laboratory, of Woods Hole, a corporation organized under the general law, be authorized to erect on Penikese Island an appropriate marker commemorating the fiftieth anniversary of the establishment on the island, by Louis Agassiz, of the first marine biological laboratory.

Marker on Penikese Island in honor of Louis Agassiz.

Approved March 29, 1923.

RESOLVE EXTENDING THE TIME FOR THE PAYMENT OF AN ANNUITY TO THE WIFE OF JAMES B. ELLIS. *Chap. 18*

Resolved, That there be paid annually from the treasury of the commonwealth, for a further period of three years, the sum of six hundred dollars a year, to Isabel M. Ellis, wife of James B. Ellis, a former police officer in the employ of the metropolitan district commission, now incapacitated from further performance of active duty. The amount provided for in this resolve for the current year shall be paid out of item number six hundred and sixty-four of the general appropriation act for the current year.

Annuity to wife of James B. Ellis, time extended.

Approved April 4, 1923.

RESOLVE PROVIDING FOR AN INVESTIGATION OF THE EXPEDIENCY AND COST OF CONSTRUCTING A BOULEVARD FROM RIVER AND READVILLE STREETS IN THE CITY OF BOSTON TO THE BLUE HILLS RESERVATION. *Chap. 19*

Resolved, That the department of public works and the metropolitan district commission, acting jointly, are hereby directed to investigate the expediency and cost of constructing a parkway or boulevard beginning at or near the junction of River and Readville streets in the city of Boston and extending to the Blue Hills reservation at or near Paul's bridge on Milton street. They shall file their report and recommendations, together with drafts for such legislation, if any, as they recommend, with the clerk of the house of representatives on or before October fifteenth in the current year and at the same time shall file a copy of the same with the budget commissioner as part of the budget estimates required to be submitted under section four of chapter twenty-nine of the General Laws. *Approved April 7, 1923.*

Investigation as to construction of a boulevard from River and Readville streets in Boston to Blue Hills reservation.

Chap. 20 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO PARKING FACILITIES AND PRIVILEGES IN METROPOLITAN DISTRICT RESERVATIONS.

Investigation as to parking facilities and privileges in metropolitan district reservations.

Resolved, That the metropolitan district commission is hereby directed to investigate and report as to the feasibility, desirability and approximate cost of purchasing, laying out and maintaining a tract of land near the Revere Beach reservation to be used by the public for the parking of automobiles, and as to the desirability of charging fees for the use of parking privileges at Revere Beach and at the other reservations in the metropolitan district. The said commission shall file its report and recommendations with the clerk of the house of representatives on or before October fifteenth in the current year and at the same time shall file a copy of the same with the budget commissioner as part of its budget estimates required to be submitted under section four of chapter twenty-nine of the General Laws.

Approved April 7, 1923.

Chap. 21 RESOLVE RELATIVE TO AN INCREASE IN THE RETIREMENT ALLOWANCE OF JOHN NOONAN, FORMERLY AN ASSISTANT WATCHMAN AT THE STATE HOUSE.

Increase in retirement allowance of John Noonan, formerly an assistant watchman at state house.

Resolved, That there shall be paid from the treasury of the commonwealth annually for a period of six years, beginning January first, nineteen hundred and twenty-three, to John Noonan, for many years an assistant watchman at the state house, such an amount as will, when added to the annual rate of retirement allowance now payable to him under sections one to five, inclusive, of chapter thirty-two of the General Laws, provide a total annual rate of retirement allowance equal to one half his annual rate of salary on the last day of his employment as such.

Approved April 9, 1923.

Chap. 22 RESOLVE RELATIVE TO THE PLACING OF AN INSCRIPTION ON THE STATUE OF ANNE HUTCHINSON.

Placing of inscription on statue of Anne Hutchinson.

Resolved, That the art commission for the commonwealth is hereby requested to provide a suitable inscription for the statue of Anne Hutchinson, now located in front of the westerly wing of the state house as required by chapter forty-five of the resolves of nineteen hundred and twenty-two, and that said inscription be placed on said statue under the direction of the superintendent of buildings.

Approved April 10, 1923.

Chap. 23 RESOLVE PROVIDING FOR THE RECOGNITION OF THE SERVICES IN THE WORLD WAR OF THE LATE RALPH TALBOT AND OTHERS AWARDED THE CONGRESSIONAL MEDAL OF HONOR.

Recognition of services in World War of late Ralph Talbot and

Resolved, That the special commission, appointed under chapter thirty-eight of the resolves of nineteen hundred and twenty-two to provide for the establishment within the state

house of a suitable memorial to preserve for the future the commonwealth's regard for the heroic services in the World War of certain men from Massachusetts who were awarded the congressional medal of honor, is hereby directed to inscribe on such memorial the name of Ralph Talbot, late second lieutenant of Squadron C, First Marine Aviation Force in France, United States Marine Corps, and the names of any other soldiers, sailors or marines from Massachusetts for whose services in the World War the congressional medal of honor has been or may be awarded.

others awarded congressional medal of honor.

Approved April 10, 1923.

RESOLVE IN FAVOR OF WILLIAM E. DAVIS OF SPRINGFIELD. *Chap. 24*

Resolved, That there be paid from the treasury of the commonwealth, in monthly instalments from April first, nineteen hundred and twenty-three, the sum of twelve hundred dollars per year for a period of five years, to William E. Davis of Springfield, who became disabled by reason of injuries received at Camp Devens, July sixteenth, nineteen hundred and twenty-two, in attempting to save state property while serving in the military forces of the commonwealth.

In favor of William E. Davis of Springfield.

Approved April 10, 1923.

RESOLVE IN FAVOR OF MRS. FREDERICK W. MEALEY. *Chap. 25*

Resolved, That there be allowed and paid out of the treasury of the commonwealth to Mrs. Frederick W. Mealey, widow of Frederick W. Mealey, who was killed while in the service of the commonwealth as a member of the state guard, an annuity of six hundred dollars beginning with January first, nineteen hundred and twenty-three and continuing for the term of five years or until her remarriage within said period. The annuity shall be payable in equal quarterly instalments and for the current year from item numbered two hundred and twenty-six of the general appropriation act.

In favor of Mrs. Frederick W. Mealey.

Approved April 12, 1923.

RESOLVE IN AID OF THE WORK OF THE JOINT NEW ENGLAND RAILROAD COMMITTEE. *Chap. 26*

Resolved, That, after an appropriation has been made, there shall be allowed and paid from the treasury of the commonwealth, to be expended under the direction of the governor and council, a sum not exceeding eleven thousand dollars, for the purpose of aiding and promoting the work of the joint New England railroad committee in its comprehensive study of New England railroad problems.

Aid for work of joint New England railroad committee.

Approved April 13, 1923.

RESOLVE IN AID OF THE DIFFERENTIAL RATE PROCEEDINGS, SO CALLED, PENDING BEFORE THE INTERSTATE COMMERCE COMMISSION. *Chap. 27*

Resolved, That, after an appropriation has been made, there shall be allowed and paid from the treasury of the common-

Aid for differential rate proceedings,

so-called, before interstate commerce commission.

wealth, to be expended under the direction of the governor and council, a sum not exceeding seventy-five hundred dollars, for the purpose of aiding and promoting the proceedings pending before the interstate commerce commission seeking the equalization of railroad rates to New England and other Atlantic and Gulf ports.

Approved April 13, 1923.

Chap. 28 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE COMMISSION ON ADMINISTRATION AND FINANCE CONCERNING THE COST, DISTRIBUTION AND CHARGES FOR LEGISLATIVE AND PUBLIC DOCUMENTS.

Investigation as to cost, distribution and charges for legislative and public documents.

Resolved, That the commission on administration and finance is hereby directed to investigate the cost of preparing, printing and distributing the various public and legislative documents printed by the commonwealth, including the cost of paper, binding and other materials used, and the advisability of providing fees or charges for those distributed to the public by subscription or otherwise, or of changing such fees or charges as are now provided, so as to reimburse or more fully reimburse the commonwealth for the expense incurred; and to investigate and consider such other changes in the laws, rules, regulations and practices concerning the printing and distribution of, and the purchase of paper and other materials for, legislative and other public documents, as may be conducive to greater economy and consistent with legislative or other public requirements, necessity or convenience. The commission shall file a report of its findings and recommendations, together with drafts for such legislation, if any, as it recommends, with the clerk of the house of representatives not later than the first Monday of December of the current year.

Approved April 16, 1923.

Chap. 29 RESOLVE IN FAVOR OF THE QUINCY SAVINGS BANK.

In favor of Quincy Savings Bank.

Resolved, That there be allowed and paid from the treasury of the commonwealth, from the unexpended balance of the appropriation made for certain improvements at Hayward's creek, to the Quincy Savings Bank, the sum of two hundred dollars, with interest at the rate of six per cent per annum from February nineteenth, nineteen hundred and seventeen to date of payment, in full settlement of its damages from the taking by eminent domain by the commonwealth of certain land at Quincy Neck in the city of Quincy in which said bank had an interest, as mortgagee under a certain mortgage given by Samuel F. Newcomb, late of said Quincy, to it, dated February nineteenth, eighteen hundred and seventy-six, and recorded with Norfolk deeds, book four hundred and seventy-six, page two hundred and sixty-three; provided, however, that on or before payment the said bank shall cancel the mortgage note and deliver to the commonwealth a discharge of said mortgage. The payment made hereunder shall be deducted from the damages payable to the owners of the equity of said property.

Approved April 18, 1923.

Proviso.

RESOLVE RELATIVE TO THE PUBLICATION AND SALE OF THE
MASSACHUSETTS REPORTS AND OF THE ADVANCE SHEETS OF
THE OPINIONS AND DECISIONS OF THE SUPREME JUDICIAL
COURT. *Chap. 30*

Resolved, That the attorney general, the secretary of the commonwealth and the reporter of decisions are hereby directed to advertise for proposals for the execution of the printing and binding, and to provide for the sale to the public, at such price as said officers may fix, of the reports of the decisions of the supreme judicial court, styled "Massachusetts Reports", during a term of three years from the first day of July, nineteen hundred and twenty-three. They shall take into consideration the circumstances and facilities of the several bidders for the work, as well as the terms offered; they may reject any bids received, and they shall award the contract or contracts to such bidder or bidders as in their judgment the interests of the commonwealth may require, and they shall execute the contract or contracts in the name and behalf of the commonwealth. Bonds satisfactory to said officers, to an amount not less than ten thousand dollars, shall be given by the party to whom any contract is awarded, to secure its performance. The said officers may, if in their discretion it is deemed practicable and feasible, negotiate for, and execute in the name and behalf of, the commonwealth a contract for the printing and sale to the public, at such price as the said officers may fix, of advance copies of opinions of said court filed with the reporter of decisions. Bonds satisfactory to the said officers, to an amount not less than ten thousand dollars, shall be given by the party to whom such a contract is awarded, to secure its faithful performance. *Approved April 20, 1923.*

Publication and sale of Massachusetts Reports and of advance sheets of opinions and decisions of supreme judicial court.

RESOLVE IN FAVOR OF PAULINE E. NORTHUP-HOPKINS OF CAMBRIDGE. *Chap. 31*

Resolved, That there be paid annually from the treasury of the commonwealth, in equal quarterly instalments, from January first, nineteen hundred and twenty-three, the sum of one hundred and fifty dollars to Pauline E. Northup-Hopkins of Cambridge, a descendant of the Wampanoag tribe of Indians. Said annuity shall continue during her life.

In favor of Pauline E. Northup-Hopkins of Cambridge.

Approved April 20, 1923.

RESOLVE PROVIDING FOR THE DISTRIBUTION OF THE GENERAL LAWS AND THE INDEX THERETO TO THE MEMBERS OF THE PRESENT GENERAL COURT. *Chap. 32*

Resolved, That the state secretary shall distribute free of charge one copy of the General Laws and of the index thereto to each member of the present general court, who was not a member of the general court of nineteen hundred and twenty or nineteen hundred and twenty-one and nineteen hundred and twenty-two.

Distribution of General Laws and index thereto to certain members of general court.

Approved April 24, 1923.

Chap. 33 RESOLVE EXTENDING THE TIME WITHIN WHICH THE COMMISSION APPOINTED TO INVESTIGATE OPPORTUNITIES AND METHODS FOR TECHNICAL AND HIGHER EDUCATION IN THE COMMONWEALTH SHALL FILE ITS FINAL REPORT.

Commission to investigate as to technical and higher education in commonwealth, time for final report extended.

Resolved, That the time, within which the commission to investigate opportunities and methods for technical and higher education in the commonwealth, appointed under chapter thirty-three of the resolves of nineteen hundred and twenty-two, shall file its final report, is hereby extended to the fourth Wednesday in December next, and said report shall thereupon be printed as a legislative document in advance of the assembling of the general court. Said commission may expend for expert, clerical and other assistance, in addition to sums heretofore appropriated for the purpose, such further sum as may be hereafter appropriated not exceeding twenty-five hundred dollars, subject to the approval of the governor and council.

Approved April 26, 1923.

Chap. 34 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE CRIMINAL LAW.

Investigation by special commission relative to criminal law.

Resolved, That a special commission, to consist of a justice of the superior court, a justice of a district court, a district attorney, a probation officer of the superior court, all to be designated by the governor, the commissioner of correction, and one other person to be appointed by the governor with the advice and consent of the council, shall investigate and consider the advisability and feasibility of revising and clarifying the provisions of general law relative to the imposition of penalties for the commission of crime, with special regard to the definition of "felony" and "misdemeanor" and the relation existing between commitments to the various state and county penal institutions and the prescribed penalty; provisions relative to the imposition of successive and concurrent sentences and to the parole of persons subject to such sentences; and provisions governing the sentence or other disposition of persons on parole from penal institutions. The commission shall also investigate and consider such other matters related to the foregoing subjects as it may deem fit and proper. It shall report the results of its investigations, with drafts of any proposed legislation, to the general court not later than December fifteenth, nineteen hundred and twenty-three. The members of the aforesaid commission shall receive no compensation for their work under authority of this resolve but shall be allowed for traveling and other expenses such sums as may be approved by the governor and council.

Approved April 30, 1923.

RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE
SUPERVISION AND REGULATION OF THE BUSINESS OF TRANSPORTING PERSONS, FREIGHT AND PROPERTY OVER PUBLIC
WAYS BY MOTOR VEHICLES. *Chap. 35*

Resolved, That the department of public works is hereby authorized and directed to investigate the subject matter of House bill 1035, entitled "An Act providing for the supervision, regulation and conduct of the transportation of persons, freight and property for compensation over public highways by motor vehicles." Said department in the course of such investigation may hold public hearings, require the attendance and testimony of witnesses, the production of books and papers relating to any matter within the scope of such investigation, and may administer oaths. It shall report the results of its investigation, together with drafts of any proposed legislation, to the next annual session of the general court, not later than the second Wednesday in January.

Approved April 30, 1923.

Investigation as to business of transporting persons, freight and property over public ways by motor vehicles.

RESOLVE DIRECTING THE ABATEMENT IN PART OF A FRANCHISE
TAX ASSESSED TO THE CHARLES RIVER TRUST COMPANY. *Chap. 36*

Resolved, That the commissioner of corporations and taxation be authorized and directed to abate the sum of five hundred and forty dollars of a franchise tax of eight hundred dollars assessed for the year nineteen hundred and twenty-two to the Charles River Trust Company under the provisions of section fifty-eight of chapter sixty-three of the General Laws, as amended by chapter three hundred and ninety-four of the acts of nineteen hundred and twenty-one.

Approved May 1, 1923.

Abatement in part of franchise tax assessed to Charles River Trust Company.

RESOLVE DIRECTING THE ABATEMENT OF A FRANCHISE TAX
ASSESSED TO THE DORCHESTER TRUST COMPANY. *Chap. 37*

Resolved, That the commissioner of corporations and taxation be authorized and directed to abate in full a franchise tax of twelve hundred dollars assessed for the year nineteen hundred and twenty-two to the Dorchester Trust Company under the provisions of section fifty-eight of chapter sixty-three of the General Laws, as amended by chapter three hundred and ninety-four of the acts of nineteen hundred and twenty-one.

Approved May 1, 1923.

Abatement of franchise tax assessed to Dorchester Trust Company.

RESOLVE DIRECTING THE ABATEMENT OF A FRANCHISE TAX
ASSESSED TO THE OLD SOUTH TRUST COMPANY OF BOSTON. *Chap. 38*

Resolved, That the commissioner of corporations and taxation be authorized and directed to abate in full franchise taxes, amounting to four thousand dollars, assessed for the years nineteen hundred and twenty-one and nineteen hundred and twenty-

Abatement of franchise tax assessed to The Old South Trust Company of Boston.

two to The Old South Trust Company of Boston under the provisions of section fifty-eight of chapter sixty-three of the General Laws, as amended by chapter three hundred and ninety-four of the acts of nineteen hundred and twenty-one.

Approved May 1, 1923.

Chap. 39 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE METROPOLITAN DISTRICT COMMISSION OF CERTAIN SURFACE DRAINAGE PROBLEMS IN THE CITIES OF EVERETT, REVERE AND MALDEN.

Investigation by metropolitan district commission of certain surface drainage problems in cities of Everett, Revere and Malden.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study of the drainage problems involved in the disposal of surface and ground waters in and from the northeastern part of Everett and the immediately adjacent portions of Revere and Malden; and to make a report of the results of its investigation and study with its recommendation of a plan for the disposal of such waters and to file the same with the clerk of the house of representatives on or before the fifteenth day of October, nineteen hundred and twenty-three, and at the same time to file a duplicate copy of the report with the budget commissioner.

Repayment of expenses to state by cities of Everett and Revere and Woodlawn Cemetery.

There may be expended for said investigation and study such sum, not exceeding fifteen hundred dollars, as may be hereafter appropriated therefor, which shall be repaid to the commonwealth, one third by the city of Everett, one third by the city of Revere and one third by the Woodlawn Cemetery, a Massachusetts corporation. The amounts so payable by said cities of Everett and Revere, respectively, shall be included by the state treasurer in the state tax of said cities. The Woodlawn Cemetery is authorized to enter into an agreement with the commonwealth, through said metropolitan district commission, for the payment to the commonwealth of its proportionate part of the cost of said investigation and study, and said commission shall not begin said investigation and study until such an agreement, in a form satisfactory to it, shall have been made.

Approved May 3, 1923.

Chap. 40 RESOLVE RELATIVE TO THE PROTECTION OF THE SHAD FISHERY IN PALMER'S RIVER.

Protection of shad fishery in Palmer's river.

Resolved, That the commissioner of conservation, personally or acting through the director of the division of fisheries and game, is hereby directed to confer with the proper authorities of the state of Rhode Island with a view to securing co-operative action by said state and the commonwealth designed to protect the shad fishery in Palmer's river. The said commissioner shall report the results of such conference to the next annual session of the general court not later than the first Wednesday in January, with drafts of such legislation as may be necessary to effect said purpose.

Approved May 3, 1923.

RESOLVE PROVIDING FOR FURTHER INVESTIGATION BY THE COMMISSIONER OF EDUCATION OF THE QUESTION OF REMOVING THE FIELD STATION OF THE MASSACHUSETTS AGRICULTURAL COLLEGE FROM NORTH LEXINGTON TO WALTHAM. *Chap. 41*

Resolved, That the commissioner of education is hereby directed to consider further the advisability of selling the market garden field station of the Massachusetts Agricultural College at North Lexington and removing the market garden field station work of the college to the property at Waltham which the trustees of the college propose to acquire by gift from the estate of the late Cornelia Warren, particularly as to the amount expended by the commonwealth for the purchase and improvement of the North Lexington property, the amount for which it could probably be sold, and the buildings, alterations, improvements and equipment which would be required at the Waltham property to fit it for the use of the field station, with estimates of cost, and as to whether any of the buildings or equipment at North Lexington could with advantage be moved to Waltham, together with estimates of the comparative gross and net operating expenses of the North Lexington station and, so far as they can be estimated, of the proposed Waltham station. The commissioner shall file a report of the investigation hereby directed, together with his recommendations, with the budget commissioner on or before October fifteenth of the current year, as provided by section four of chapter twenty-nine of the General Laws.

Approved May 5, 1923.

Further investigation of question of removing field station of Massachusetts Agricultural College from North Lexington to Waltham.

RESOLVE PROVIDING FOR THE PAYMENT TO THE WIDOW OF THE LATE REPRESENTATIVE FRANK W. GUILLO OF TAUNTON OF THE BALANCE OF THE SALARY TO WHICH HE WOULD HAVE BEEN ENTITLED FOR THE CURRENT SESSION. *Chap. 42*

Resolved, That, in consideration of his meritorious and honorable service in the general court of this commonwealth, there be allowed and paid out of the treasury of the commonwealth to the widow of Frank W. Guillo of Taunton, who died while a member of the present house of representatives, the balance of the salary of fifteen hundred dollars to which he would have been entitled had he lived and served until the end of the present session. The state treasurer is hereby directed to make the payment hereby authorized out of the appropriation made in item three of the general appropriation act.

Approved May 5, 1923.

Payment to widow of late Representative Frank W. Guillo of Taunton.

RESOLVE ESTABLISHING A SPECIAL COMMISSION TO INVESTIGATE THE SUBJECT OF OLD AGE AND OTHER PENSIONS. *Chap. 43*

Resolved, That a special commission, to consist of five persons to be appointed by the governor, is hereby established for the purpose of considering the entire problem of pensions, retire-

Special commission to investigate subject of old age and other pensions.

Named
commission
on pensions.
Scope of
investigation.

ment allowances and payments in the nature of pensions, whether to officers or employees retired or retiring from the public service, or to persons in private life who, by reason of injury or otherwise, are no longer able to support themselves in gainful occupations. The commission shall be known as the commission on pensions. In connection with the study of the problem of old age pensions the commission shall ascertain the number of persons who would be entitled to the benefits of such a system of pensions, the probable initial expense incident to its establishment, the expense throughout a period of twenty-five years thereafter and the effect which such establishment might have on the amount of funds expended in public and private charity. The commission shall prepare figures showing to what extent the commonwealth and its several subdivisions are now expending and have already expended during the past twenty-five years, by way of aid to mothers with dependent children, juvenile aid and poor relief, and in all other channels of public aid, relief and assistance, public funds, and the probable increase in such expenditures under existing law during the next twenty-five years. The commission shall specifically consider and suggest such methods of taxation as may be necessary to finance any system of pensions that it may recommend. The commission shall investigate the workings of the present system of retirements and pensions for public employees, including the state, county, city and town and teachers' retirement systems, and the laws providing pensions for judges and all other public officers and employees. It shall study and compare the pension and retirement systems of other states and foreign countries in respect both to public and private systems. It shall also ascertain the total cost to date, with probable future increases, of the system of public pensions and retirements as now established. Said cost shall be exhibited with comparative figures showing valuations, population and other relevant factors, in such manner as to disclose taxation costs, both per capita and aggregate. The commission shall consider the relative merits of contributory and non-contributory systems with reference to both public and private pensions, and to what extent the cost to the public may be lessened by private gifts, bequests and devises. The commission shall be provided with quarters in the state house, may employ clerical, actuarial and other expert assistance, and may expend from such amount, not exceeding twenty-five thousand dollars, as may be appropriated by the general court such sums as may be approved by the governor and council. It may require the attendance and testimony of witnesses and the production of books and papers, and may administer oaths. The commission shall report its findings and recommendations on the aforesaid matters, with drafts of any legislation that may be necessary to carry such recommendations into effect, to the general court on or before the first Wednesday in January, nineteen hundred and twenty-five.

Quarters in
state house,
clerical assist-
ance, etc.

Witnesses, etc.

Report, etc.

Approved May 5, 1923.

RESOLVE IN FAVOR OF THE WIDOW OF THE LATE THOMAS *Chap. 44*
MARTIN JOYCE.

Resolved, That, in consideration of his conscientious and meritorious services to the commonwealth in the course of his long and honorable career in the senate and house of representatives, and to the city of Boston which he efficiently served as a member of the city council, there be allowed and paid out of the treasury of the commonwealth to the widow of Thomas Martin Joyce of Boston, who died while a member of the present house of representatives, the balance of the salary of fifteen hundred dollars to which he would have been entitled had he lived and served until the end of the current session. The state treasurer is hereby directed to make the payment hereby authorized out of the appropriation made in item three of the general appropriation act.

Payment to
widow of late
Representative
Thomas Martin
Joyce.

Approved May 5, 1923.

RESOLVE PROVIDING FOR THE PAYMENT TO THE WIDOW OF *Chap. 45*
THE LATE REPRESENTATIVE PETER L. KELLEY OF BOSTON
OF THE BALANCE OF THE SALARY TO WHICH HE WOULD HAVE
BEEN ENTITLED FOR THE CURRENT SESSION.

Resolved, That, in consideration of his meritorious and honorable service in the general court of this commonwealth, there be allowed and paid out of the treasury of the commonwealth to the widow of Peter L. Kelley of Boston, who died while a member of the present house of representatives, the balance of the salary of fifteen hundred dollars to which he would have been entitled had he lived and served until the end of the present session. The state treasurer is hereby directed to make the payment hereby authorized out of the appropriation made in item three of the general appropriation act.

Payment to
widow of late
Representative
Peter L. Kelley.

Approved May 5, 1923.

RESOLVE TO PROVIDE FOR THE IMPROVEMENT OF PLYMOUTH *Chap. 46*
HARBOR.

Resolved, That, after an appropriation has been made sufficient to cover the state's portion of the cost of improving Plymouth harbor by dredging and otherwise, the division of waterways and public lands of the department of public works is hereby authorized to co-operate with the war department of the United States in the matter of making such improvement. Upon satisfactory evidence that the United States has appropriated a sum of not less than fifty-one thousand dollars for the improvement aforesaid and after written request from the secretary of war of the United States, there shall be placed to the credit of the United States for the aforesaid purpose a cash deposit of not exceeding fifty-one thousand dollars. *Approved May 5, 1923.*

Improvement
of Plymouth
harbor.

Chap. 47 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE BRIDGE OVER THE CHARLES RIVER BETWEEN THE CITIES OF BOSTON AND CAMBRIDGE.

Investigation relative to bridge over Charles river between cities of Boston and Cambridge.

Resolved, That the metropolitan district commission be authorized and directed to investigate the matter of constructing a new bridge, without an island, across the Charles river between Boston and Cambridge at or near the existing location of the Massachusetts avenue bridge. The commission shall also consider whether it is feasible to so reconstruct the present bridge as to fit it for traffic requirements. The commission shall report its conclusions to the next annual session of the general court on or before the first Saturday in January. Said commission shall include in its report sketches and plans of any bridge recommended by it hereunder, and if it finds that reconstruction of the present bridge is feasible, shall also submit plans for such reconstruction together with estimates of cost. To carry out the purposes of this resolve, said commission may employ such architects, engineers and other assistants as may be necessary and may expend a sum not exceeding twenty-five thousand dollars out of the Metropolitan Parks Maintenance Fund.

Approved May 8, 1923.

Chap. 48 RESOLVE PROVIDING FOR THE ERECTION IN CUBA OF A MEMORIAL TO THE SOLDIERS OF THE EIGHTH MASSACHUSETTS REGIMENT OF INFANTRY WHO LOST THEIR LIVES IN THE WAR WITH SPAIN AND FOR THE APPROPRIATE DEDICATION OF THIS AND OTHER MEMORIALS.

Provision for erection in Cuba of memorial to certain soldiers who lost their lives in war with Spain.

Resolved, That there be added to the commission, appointed under chapter seventeen of the resolves of nineteen hundred and twenty-two, two additional members to be appointed by the governor, and that said commission, in addition to the duties imposed upon it by said chapter seventeen, provide for the erection of a suitable tablet or tablets at some prominent point in Cuba, in memory of the soldiers of the Eighth Massachusetts Regiment of Infantry, Massachusetts Volunteer Militia, who lost their lives while representing the commonwealth in the service of the United States during the war with Spain; and that for the purpose of providing and erecting said tablet or tablets there be allowed and paid out of the treasury of the commonwealth a sum, not exceeding fifteen hundred dollars, to be expended under the direction of said commission. Plans and specifications for the proposed tablet or tablets shall be submitted to the governor and council for their approval before any expenditure hereunder is made. And be it further resolved, that the governor be requested to arrange with the war department of the United States for the transportation of said commissioners to Cuba, by government transport, without expense to the commonwealth, for the purpose of providing for the appropriate dedication of the tablets authorized by this resolve and by said chapter seventeen.

Provision for appropriate dedication of this and other memorials.

Approved May 10, 1923.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DEPARTMENT OF PUBLIC HEALTH OF THE MATTER OF SEWERAGE AND SEWAGE DISPOSAL IN THE VALLEY OF THE MERRIMACK RIVER. *Chap. 49*

Resolved, That the department of public health is hereby authorized and directed to investigate the condition of the Merrimack river and the matter of sewerage and sewage disposal in the valley of said river within the limits of the commonwealth, in the cities of Lowell, Lawrence, Haverhill and Newburyport, and in the towns of Dracut, Tyngsborough, Chelmsford, Billerica, Tewksbury, Andover, North Andover, Methuen, Groveland, West Newbury, Merrimac, Amesbury and Salisbury.

Investigation by department of public health of sewerage and sewage disposal in valley of Merrimack river.

Said department shall consider and report upon a general system of sewerage and sewage disposal for the prevention of the pollution of said river and for the removal and disposal of the sewage of the cities and towns herein mentioned, or parts thereof, including also the removal or disposal of manufacturing wastes which may contribute materially to the pollution of said river.

It shall be the duty of the said department —

Duties of department as to investigation.

(1) To prepare a plan for a main trunk sewer or sewers to collect the sewage now discharged into the Merrimack river or its tributaries within any of the cities or towns herein mentioned and convey it to an outlet into the sea or to suitable disposal works, as said department may determine to be most advantageous under the circumstances.

(2) To prepare plans of tributary or main branch sewers to intercept and collect sewage and manufacturing wastes and remove the same from the present sewer outlets into said river or its tributaries within the limits of the cities and towns herein mentioned to the main trunk sewer, with pumping stations or such other appurtenances thereto as may be necessary.

(3) To designate the cities and towns or parts of cities and towns which are tributary to and embraced in the district to be served by said main trunk sewer, main branches and outlet or disposal works.

(4) Said department shall also consider and report whether any city or town or any group of two or more cities or towns can more advantageously provide for itself or themselves a distinct system of sewerage, drainage and disposal works, and shall prepare plans of such distinct system or systems with outlet or disposal works, if recommended.

(5) Said department shall consider and report whether the treatment or disposal of manufacturing wastes separately from the disposal of sewage can be effected to advantage, and shall report a plan for such separate treatment or disposal of such wastes, if recommended.

(6) Said department shall also consider and report the amount of sewage and manufacturing wastes entering the Merrimack river in the state of New Hampshire and recommend, if the department deems it necessary, any arrangements that may be entered into by the commonwealth with the state of New

Hampshire to abate by treatment or otherwise any existing nuisances.

Examination
of all sewers
discharging
into Merrimack
river, etc.

Said department may examine in connection with this investigation all sewers discharging into said river or its tributaries within any of the cities or towns herein named, and may enter the premises of any manufacturing establishment for the purpose of making an examination of the amount and character of any sewage or waste discharged therefrom into the river or into any tributary thereof within said cities and towns.

Surveys, em-
ployment of
engineers, etc.

Said department shall make such surveys as may be necessary to determine upon locations for sewers, drains, sewer outlets or disposal works, and may employ such engineers or other assistants as may be necessary for the proper carrying out of the investigation and the preparation of plans, and may expend therefor such sum as may hereafter be appropriated, not exceeding twenty thousand dollars.

Expenses,
payment, ap-
portionment
upon cities and
towns, etc.

The expenses incurred under this resolve shall be reported by the said department to the governor and council, and shall, when approved by them, be paid out of the state treasury. Said department shall apportion the amount of the expenses so paid upon the cities and towns herein mentioned, in proportion to the benefits derived by each city or town from the work done under authority of this resolve, and the amount so apportioned on each city and town shall be assessed, collected and paid over to the state treasurer in the same manner and at the same time as state taxes.

Reports.

All reports under this resolve shall be made by said department to the general court on or before the second Wednesday in January, nineteen hundred and twenty-four.

Approved May 11, 1923.

Chap. 50 RESOLVE CONFIRMING THE ACTS OF ROBERT WINSOR, JR., AS A NOTARY PUBLIC.

Acts of Robert
Winsor, Jr.,
as a notary pub-
lic confirmed.

Resolved, That the acts of Robert Winsor, Jr., of Weston, as notary public, between December twenty-eight, nineteen hundred and twenty-one, and April twenty-five, nineteen hundred and twenty-three, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time he had been duly qualified to discharge the duties of said office.

Approved May 11, 1923.

Chap. 51 RESOLVE AUTHORIZING CERTAIN IMPROVEMENTS IN THE STATE HOUSE AND ELSEWHERE.

Certain im-
provements in
state house, etc.,
authorized.

Resolved, That, after an appropriation has been made, there may be expended from the treasury of the commonwealth, under the direction of the superintendent of buildings, a sum not exceeding twelve thousand four hundred dollars, for the following purposes: — (1) the construction of a corridor in the first floor of the state house in front of the elevators and nearly in line with the east and west wing corridors in the floors above at a cost not to exceed ten thousand dollars, provided, that no payment shall be made or obligation incurred under authority

Proviso.

of this item if the bid for contracts, proposed for acceptance, exceeds the sum hereby allotted for the work; (2) the installation of an adequate ventilating system for the state house restaurant at a cost not to exceed five hundred dollars; (3) the installation of certain partition construction in the Worcester branch offices of the department of public safety at a cost not to exceed one thousand dollars; and (4) the suitable mounting and placing on the state house grounds, on a site to be approved by the governor and council, of a Spanish cannon, loaned to the commonwealth by the federal government and now stored in the state house, at a cost not to exceed nine hundred dollars.

Approved May 12, 1923.

RESOLVE REQUESTING THE ATTORNEY GENERAL TO HEAR THE CLAIMS OF PERSONS WHO ALLEGE PROPERTY DAMAGE BY REASON OF THE CONSTRUCTION AND MAINTENANCE OF THE ARMORY IN THE CHARLESTOWN DISTRICT OF THE CITY OF BOSTON.

Chap. 52

Resolved, That the attorney general is hereby requested to hear the claims of persons who allege damage to their property by reason of the occupation and use thereof by the commonwealth in connection with the construction and maintenance of the Charlestown armory on Bunker Hill street in the Charlestown district of the city of Boston, and to report the names of persons whose property has been so damaged, and the amounts of damages sustained by such persons, and whether or not there is any legal or other obligation on the part of the commonwealth in relation thereto. The attorney general is hereby further requested to file his report with the clerk of the house of representatives on or before the fifteenth day of October of the current year, and at the same time file a copy of the same with the budget commissioner as a part of the budget estimates required to be submitted under section four of chapter twenty-nine of the General Laws.

Attorney general to hear claims of certain persons alleging property damage by reason of construction, etc., of armory in Charlestown district of Boston.

Approved May 14, 1923.

RESOLVE PROVIDING FOR AN INVESTIGATION AS TO JURY SERVICE IN THE COURTS OF THE COMMONWEALTH AND AS TO MAKING WOMEN ELIGIBLE FOR SUCH SERVICE.

Chap. 53

Resolved, That a special unpaid commission, to consist of one senator to be designated by the president of the senate, two representatives to be designated by the speaker of the house, and four other persons to be appointed by the governor with the advice and consent of the council, shall investigate the subject of jury service in the courts of the commonwealth, with special reference to the changes in the jury system recommended by the attorney general in his report for the year ending January seventeenth, nineteen hundred and twenty-three, and to the service of women on juries, and to what extent existing court house and other facilities may require enlargement or alteration if women are to be made eligible for such service. The commission shall be provided with quarters in the state house, may require the attendance and testimony under oath of witnesses

Investigation as to jury service in courts of commonwealth and as to making women eligible for such service.

and the production of books and papers, and may expend for clerical assistance and for other expenses, such sums as the governor and council may approve. Any member of the commission may administer oaths to witnesses. It shall report the results of its investigations, with drafts of proposed legislation embodying the same, to the general court on or before December fifteenth, nineteen hundred and twenty-three.

Approved May 14, 1923.

Chap. 54 RESOLVE ESTABLISHING A SPECIAL COMMISSION TO REVISE THE CHARTER OF THE CITY OF BOSTON.

Special commission to revise charter of city of Boston.

Resolved, That a special commission is hereby established, to consist of two members of the senate to be appointed by the president, five members of the house of representatives to be appointed by the speaker, four persons to be appointed by the governor, and two by the mayor of the city of Boston, all of said members to be registered voters in the city of Boston.

Chairman.
Boston Charter Revision Commission.
Duties.

The commission shall choose its chairman and shall be known as the Boston Charter Revision Commission. It shall be the duty of the commission to investigate and consider what, if any, amendments to the city charter of the city of Boston are advisable and it may report a complete revision of the present city charter of said city.

Report.

The commission shall report its findings, with such recommendations as it may deem expedient, together with drafts of legislation embodying the same, to the general court on or before the second Wednesday in January, nineteen hundred and twenty-four. Upon the filing of such report, the existence of the commission shall terminate. The commission shall be furnished with suitable rooms in the state house, may hold public hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers relating to any matter under investigation by it, and may administer oaths to witnesses testifying before it. Such summons may be issued and such oaths administered by the chairman of the commission.

Termination.

Quarters in state house, hearings, etc.

Expenditures.

The commission may expend such sums for expenses, travel, clerical and other assistants as may be approved by the governor and council, but not exceeding such sum as the general court may appropriate; provided, that the members of the commission shall not receive reimbursement except for expense actually incurred in the discharge of their duties.

Proviso.

Approved May 14, 1923.

Chap. 55 RESOLVE PROVIDING FOR AN INQUIRY AS TO THE RESULTS OF PROBATION.

Inquiry as to results of probation.

Resolved, That the commission on probation is hereby authorized and directed to make an inquiry as to the results of probation by a survey of the conduct, subsequent to their probation term, of persons who have been under the care of probation officers, for the purpose of determining the efficacy of pro-

bation as a means of securing lawful and orderly behavior of persons who have been offenders. The commission shall select for such survey the jurisdiction of such court or group of courts as in its judgment fairly represents ordinary conditions and cases of all offences within a period extending sufficiently far into the past to show the probable permanence of the results. For the purpose of said inquiry, the commission may employ such assistance as may be necessary and may expend such sum as may be appropriated not exceeding four thousand dollars. The commission shall report its findings to the next annual session of the general court not later than the second Wednesday of January. There shall, however, be no publication in such report or otherwise of the name of, or other facts as to, any person tending to identify him as having had a criminal record.

Restrictions as to publication of names, etc.

Approved May 15, 1923.

RESOLVE PROVIDING FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE THE ADVISABILITY OF REMOVING CERTAIN RESTRICTIONS IMPOSED BY THE COMMONWEALTH ON LAND IN THE BACK BAY DISTRICT IN THE CITY OF BOSTON.

Chap. 56

Resolved, That a special unpaid commission, consisting of the attorney general, the commissioner of public works, and the building commissioner of the city of Boston, is hereby established. Said commission shall consider the subject matter contained in the bill printed as senate number two hundred and seventeen of the current year, namely, the operation and effect of the restriction, that no cellar or lower floor of any building on land formerly owned by the commonwealth shall be placed more than four feet below the level of the mill dam as fixed by the top surface of the hammered stone at the southeast corner of the emptying sluices. Said commission shall report its findings to the clerk of the house of representatives on or before December fifteenth, nineteen hundred and twenty-three.

Investigation as to removing certain restrictions from land in Back Bay district of Boston.

Approved May 15, 1923.

RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE CONSTRUCTION OF A NEW BUILDING FOR THE SUPREME JUDICIAL COURT, THE ARCHIVES DIVISION OF THE STATE SECRETARY'S DEPARTMENT AND THE STATE LIBRARY.

Chap. 57

Resolved, That the commission on administration and finance is hereby authorized to investigate and report as to the necessity or advisability of constructing a new building for the supreme judicial court, the archives division of the state secretary's department and the state library. The commission shall file its report with the clerk of the house of representatives on or before the fifteenth day of October of the current year, and at the same time shall file a copy of the same with the budget commissioner as a part of the budget estimates required to be submitted under section four of chapter twenty-nine of the General Laws.

Investigation as to construction of new building for supreme judicial court, archives division of state secretary's department and state library.

Approved May 16, 1923.

Chap. 58 RESOLVE RELATIVE TO AN INVESTIGATION OF THE ADVISABILITY OF PROVIDING A LIMITATION OF EXEMPTIONS FROM LOCAL TAXATION OF CERTAIN PROPERTY.

Investigation as to providing a limitation of exemptions from local taxation of certain property.

Resolved, That a special commission is hereby established, to consist of the commissioner of education, the commissioner of public welfare and the commissioner of corporations and taxation, which shall investigate and report to the general court, not later than the second Wednesday in January, nineteen hundred and twenty-four, as to the advisability of providing by law for limiting the operation of the exemption from local taxation, contained in clause Third of section five of chapter fifty-nine of the General Laws, to institutions chartered under the laws of this commonwealth, the assets of which are permanently held for and devoted to one or more of the public uses stated in said clause, and more particularly as to the advisability of providing by law for excluding from the operation of such exemption institutions so incorporated as to have a capital stock, divided into shares or otherwise, owned in such manner that the assets thereof may be sold or the property thereof diverted, by dissolution of the corporation or otherwise, from the public purpose for which the institution was chartered and pass to private ownership or advantage. Any recommendations made in such report shall be accompanied by drafts of legislation embodying the same.

Approved May 17, 1923.

Chap. 59 RESOLVE RELATIVE TO CONTRIBUTORY PENSIONS FOR CERTAIN VETERANS IN PUBLIC EMPLOYMENT.

Investigation as to contributory pensions for certain veterans in public employment.

Resolved, That a special unpaid commission, to consist of the state treasurer, the attorney general or an assistant attorney general designated by him, and the chairman of the commission on administration and finance or an associate commissioner thereof designated by him, is hereby established to consider the subject matter of current senate document number one hundred and forty-four, and more particularly the requirements of existing pension laws relative to Spanish War and World War veterans in public service, and whether such veterans should be exempted either in whole or in part from state, county and municipal contributory pension systems and, if so, on what terms and conditions, and what effect any exemptions now provided have, or any further exemptions might have, on existing contributory pension systems for public employees and the additional cost to such systems resulting from any such exemptions. Said commission shall report its findings and recommendations, with drafts for such legislation, if any, as may be necessary to carry out its recommendations, by filing the same with the clerk of the house of representatives not later than December first in the current year.

Approved May 17, 1923.

RESOLVE VALIDATING THE ACTS OF ROBERT T. DELANO OF
WAREHAM AS A JUSTICE OF THE PEACE. *Chap. 60*

Resolved, That the acts of Robert T. Delano of Wareham as a justice of the peace, between January seventeenth, nineteen hundred and twenty-three and May ninth, nineteen hundred and twenty-three, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of said office.

Acts of
Robert T.
Delano as a
justice of the
peace validated.

Approved May 17, 1923.

RESOLVE VALIDATING THE ACTS OF CHARLES A. WINSLOW OF
MEDFORD AS A JUSTICE OF THE PEACE. *Chap. 61*

Resolved, That the acts of Charles A. Winslow of Medford as a justice of the peace, between December twenty-third, nineteen hundred and twenty-one and May tenth, nineteen hundred and twenty-three, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Acts of
Charles A.
Winslow as
a justice of
the peace
validated.

Approved May 17, 1923.

RESOLVE RELATIVE TO THE RELOCATION OF THE STATE PRISON. *Chap. 62*

Resolved, That a special unpaid commission of five persons to be appointed by the governor, with the advice and consent of the council, shall, after investigation, recommend a new location for the state prison. The commission may consider the feasibility and advisability of converting the Massachusetts reformatory at Concord into a state prison and of establishing a new reformatory at some other location. The commission shall consider the merits of all locations reasonably available, including the state institution at Bridgewater, and shall have plans prepared, with estimates of cost, for the construction of an adequate prison upon such site as the commission may recommend, including plans and estimates for the conversion into a state prison of the said reformatory or the state institution at Bridgewater, if such conversion is deemed advisable by the commission, and for any new construction that may become necessary by reason of such conversion. The commission shall be provided with quarters in the state house, may require the attendance and testimony of witnesses, may administer oaths, may employ such expert and clerical assistance and may incur such expense as the governor and council may approve, not exceeding the sum reserved in item five hundred and two and one half of the general appropriation act of the current year, which sum is hereby appropriated and made available for the expenses of this commission. The commission shall make a report to the general court, by filing the same with the clerk of the house of representatives, not later than the fifteenth day of October, nineteen hundred and twenty-three, with drafts of such legislation as may be necessary to carry its recommendations into effect, and shall, at the same time, file a duplicate copy of said

Investigation,
etc., by special
commission as
to relocation of
state prison.

Expenses.

Appropriation.
Report.

Dissolution of
commission.

report with the budget commissioner. Upon the filing of the report the duties and powers of the commission shall cease and it shall be dissolved.

Approved May 18, 1923.

Chap. 63 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE BOARD OF TRUSTEES OF THE BOSTON ELEVATED RAILWAY COMPANY OF THE EXPEDIENCY AND PRACTICABILITY OF REMOVING THE ELEVATED STRUCTURES IN THE CITY OF BOSTON AND SUBSTITUTING SUBWAYS IN PLACE THEREOF.

Investigation
as to removal
of elevated
structures in
Boston and
substitution
of subways in
place thereof.

Resolved, That the board of trustees of the Boston Elevated Railway Company is hereby authorized and directed to consider the expediency, practicability and cost of removing the elevated structures in the city of Boston and substituting a system of subways in place thereof to be used in conjunction with existing subways and tunnels, and to make a report to the general court by filing such report with the clerk of the house of representatives not later than October fifteenth in the current year.

Approved May 18, 1923.

Chap. 64 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DEPARTMENT OF PUBLIC HEALTH OF SEWERAGE AND SEWAGE DISPOSAL FOR THE CITIES OF SALEM, BEVERLY AND PEABODY, THE TOWN OF DANVERS AND FOR CERTAIN PUBLIC INSTITUTIONS.

Investigation
as to sewerage
and sewage dis-
posal for cities
of Salem, Bev-
erly and Pea-
body and town
of Danvers.

Resolved, That the department of public health is hereby authorized and directed to investigate, consider and report upon the general question of sewerage and sewage disposal for the cities of Salem, Beverly and Peabody and the town of Danvers, with special reference to the disposal of the sewage by discharge into the sea, either by separate or combined outlets or in connection with a plan of a proposed new and larger outfall sewer system and outlet for the cities of Salem and Peabody presented in a report by the said department to the general court of nineteen hundred and twenty-three and printed as house document number eleven hundred and seventy-five of that year.

For Danvers
state hospital
and Essex
county sana-
torium at
Middleton.

The said department shall also consider the necessity or advisability of including in any of said systems of sewerage and sewage disposal the Danvers state hospital and the Essex county sanatorium at Middleton, which occupy lands draining into the Ipswich river above the intake of certain public water supply systems.

Duties of
department of
public health
as to investi-
gation, etc.

It shall be the duty of said department to consider the practicability of a general system of sewage disposal for all of the municipalities and institutions herein mentioned by means of a joint system of main sewers and an outlet into the sea or by means of separate systems and outlets or disposal works for such parts of said cities and town or for said institutions as may, in the opinion of said department, be advisable. If said department shall deem it advisable to include all of said municipalities and institutions in a general system of sewerage and sewage disposal or any parts of said cities and town or either of said insti-

tutions in such a system, it shall present a general plan and an estimate of the cost of the necessary works.

Said department shall also consider plans for the local disposal of sewage in the city of Beverly and the town of Danvers and the institutions in question for comparison with the plan of a general system or systems for such disposal.

Plans of local disposal of sewage in Beverly, Danvers and certain institutions, etc.

Report.

Said department shall report to the general court the results of its investigations with recommendations thereon and any plan or plans for carrying out any and all of the schemes which it may recommend. Said report shall be made on or before the third Wednesday in January, nineteen hundred and twenty-four, and shall be accompanied by such drafts of legislation as the said department may think necessary or advisable in order to carry into effect any recommendations which it may make.

Subject to such appropriation as may hereafter be made, said department may expend under this resolve a sum not exceeding four thousand dollars. The expenditures so incurred shall be reported by said department to the governor and council and shall, when approved by them, be paid out of the state treasury.

Expenditures.

Said department shall apportion eighty-five per cent of the expenses so paid upon the cities of Salem, Beverly and Peabody, the town of Danvers and the county of Essex, in such proportion as it shall determine. The amount so apportioned on each such city and town shall be assessed, collected and paid over to the state treasurer in the same manner and at the same time as state taxes. The amount so apportioned on said county shall, within a reasonable time after notice thereof by said department, be paid by said county from any of its funds available therefor.

Apportionment of expenses.

Approved May 19, 1923.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO ADDITIONAL SEWERS IN THE TOWN OF ARLINGTON AND IN THE CITY OF MEDFORD.

Chap. 65

Resolved, That the metropolitan district commission be authorized and directed to investigate as to the construction, as part of the metropolitan sewerage system, in pursuance of the provisions of section four of chapter five hundred and twenty of the acts of eighteen hundred and ninety-seven, of additional sewers in the valley of Mill or Sucker brook in the town of Arlington and through other territory in the town of Arlington and in the city of Medford. The commission shall inquire into sewerage needs and requirements of said territory, both present and prospective, and the adequacy of the present system of metropolitan sewers therein. The commission shall cause to be made such surveys, plans and estimates of cost as may be necessary to enable said commission to begin work, and may expend for the purposes of this resolve such sums as may hereafter be appropriated, not exceeding thirty thousand dollars. The commission shall file its report and recommendations, together with drafts of such legislation as it may recommend, with the clerk

Investigation relative to additional sewers in town of Arlington and city of Medford.

of the house of representatives on or before the fifteenth day of October in the current year, and at the same time shall file a copy of the same with the budget commissioner as part of the budget estimates required to be submitted under section four of chapter twenty-nine of the General Laws.

Approved May 22, 1923.

Chap. 66 RESOLVE CONFIRMING THE ACTS OF WILLARD DALRYMPLE AS A NOTARY PUBLIC.

Acts of Willard Dalrymple as a notary public confirmed.

Resolved, That the acts of Willard Dalrymple of Newton as a notary public, between May third, nineteen hundred and sixteen, and May third, nineteen hundred and twenty-three, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of the said office. *Approved May 23, 1923.*

Chap. 67 RESOLVE PROVIDING FOR THE PROPER OBSERVANCE OF THE TWENTY-FIFTH ANNIVERSARY OF THE TERMINATION OF THE WAR WITH SPAIN.

Provision for proper observance of twenty-fifth anniversary of termination of war with Spain.

Resolved, That, in testimony of the commonwealth's appreciation of the services rendered by the men from Massachusetts who served in the war with Spain and to provide for the proper observance of the twenty-fifth anniversary of the termination of such war, there be allowed and paid out of the treasury of the commonwealth a sum not exceeding eight thousand dollars, to be expended, under the direction of the adjutant general, after consultation with the commander of the department of Massachusetts of the United Spanish War Veterans and subject to the approval of the governor and council, toward paying the expenses of a parade in Boston of veterans of the Spanish-American war.

Approved May 24, 1923.

Chap. 68 RESOLVE PROVIDING FOR A FURTHER INVESTIGATION RELATIVE TO THE CONSTRUCTION OF A PARKWAY AND TRAFFIC ROAD FROM BOSTON TO THE MIDDLESEX FELS PARKWAY.

Further investigation as to construction of a parkway and traffic road from Boston to Middlesex Fells parkway.

Resolved, That the division of metropolitan planning is hereby directed to continue the investigation, initiated under chapter fifty-one of the resolves of nineteen hundred and twenty-two, for the purpose of selecting a route for a parkway and traffic road from Boston to the Middlesex Fells parkway via Wellington bridge and of preparing plans for, and determining methods for financing, the construction of the same. Said division shall file its report of the results of such investigation, together with its recommendations, estimates of costs and drafts of proposed legislation, with the clerk of the house of representatives on or before October fifteenth in the current year and at the same time shall file a copy of the same with the budget commissioner as a part of the budget estimates required to be submitted under section four of chapter twenty-nine of the General Laws.

Approved May 25, 1923.

RESOLVE PROVIDING FOR AN INVESTIGATION AND REPORT RELATIVE TO THE HIGHWAYS, PARKS AND RESERVATIONS ALONG THE CONNECTICUT RIVER. *Chap. 69*

Resolved, That a special unpaid commission, to be known as the Connecticut Valley Park Commission, and to consist of a county commissioner from each of the counties of Hampden, Hampshire and Franklin, to be designated by the governor, and four other persons, one of whom shall be a landscape engineer and another a civil engineer, both of established reputation, to be appointed by the governor, shall investigate as to the most appropriate and feasible manner of co-ordinating the present highways, parks and state reservations along the Connecticut river, and their unification into an accessible system with a view to promote their most beneficial use and enjoyment. The commission may incur such expenses for clerical assistance, travel and other expenses as may be approved by the governor and council, within such amount, not exceeding one thousand dollars, as may hereafter be appropriated. The commission shall report the results of its investigation, accompanied by such maps and plans as it may deem useful, to the next annual session of the general court on or before the first Wednesday in January, and with the submission of said report the existence of said commission shall terminate.

Investigation as to highways, parks and reservations along Connecticut river.

Termination of commission.

Approved May 25, 1923.

RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE UNIFYING OF TRANSPORTATION FACILITIES WITHIN THE CITIES OF BOSTON, CHELSEA AND REVERE. *Chap. 70*

Resolved, That the division of metropolitan planning is hereby directed to investigate the expediency and feasibility of consolidating under one management the operation of all street railway lines in the cities of Boston, Chelsea and Revere and ways and means by which such result can be accomplished. Said division shall report its recommendations, together with drafts of legislation to carry the same into effect, to the general court by filing the same with the clerk of the house of representatives on or before October fifteenth in the current year, and shall at the same time file a copy of the same with the budget commissioner as part of the budget estimates required to be submitted under section four of chapter twenty-nine of the General Laws.

Investigation as to unifying transportation facilities within cities of Boston, Chelsea and Revere.

Approved May 25, 1923.

RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO A COMPREHENSIVE RAPID TRANSIT SYSTEM FOR THE COMMUNITIES SERVED BY THE SAUGUS BRANCH OF THE BOSTON AND MAINE RAILROAD. *Chap. 71*

Resolved, That the division of metropolitan planning is hereby directed to investigate relative to a comprehensive system or systems of rapid transit for those communities served by the Saugus branch of the Boston and Maine Railroad, and to report its conclusions and recommendations, with drafts of such legis-

Investigation as to comprehensive rapid transit system for communities served by Saugus branch of Boston and

Maine Railroad.

Assessment upon city of Malden.

Repayment to state and redistribution to Malden.

lation as it may deem expedient, to the general court not later than January tenth, nineteen hundred and twenty-five. After an appropriation has been made therefor, the said division may expend for the purpose aforesaid such sums, not exceeding five thousand dollars, as it may deem necessary. The sums so expended shall be paid in the first instance from the treasury of the commonwealth, and shall be assessed by the state treasurer upon the city of Malden at the same time and in the same manner as state taxes. If and when the comprehensive system or systems mentioned above are constructed, the sums, the expenditure of which is authorized by this resolve, shall be treated as part of the cost of the construction thereof, and shall be repaid to the commonwealth by the persons and corporations constructing the same and redistributed to the city aforesaid.

Approved May 25, 1923.

Chap. 72 RESOLVE PROVIDING FOR THE PAYMENT TO THE WIDOW OF THE LATE REPRESENTATIVE GEORGE P. WEBSTER OF THE BALANCE OF THE SALARY TO WHICH HE WOULD HAVE BEEN ENTITLED FOR THE CURRENT SESSION.

Payment to widow of late Representative George P. Webster.

Resolved, That, in consideration of his honorable service in the general court of this commonwealth, there be allowed and paid out of the treasury of the commonwealth to the widow of George P. Webster of Boxford, who died while a member of the present house of representatives, the balance of the salary of fifteen hundred dollars to which he would have been entitled had he lived and served until the end of the present session. The state treasurer is hereby directed to make the payment hereby authorized out of the appropriation made in item three of the general appropriation act. *Approved May 25, 1923.*

Chap. 73 RESOLVE RELATIVE TO THE WORK OF THE SPECIAL COMMISSION AUTHORIZED TO ACQUIRE LAND IN ST. MIHIEL, FRANCE, FOR CONSTRUCTION THEREON OF A MEMORIAL.

Work of special commission authorized to acquire land in St. Mihiel, France, for construction thereon of a memorial.

Resolved, That the commission to ascertain the most appropriate methods of caring for the graves of American dead in foreign soil, appointed under chapter six hundred and sixteen of the acts of nineteen hundred and twenty and revived and continued under chapter four hundred and forty-eight of the acts of nineteen hundred and twenty-one and chapter four hundred and fifty-five of the acts of nineteen hundred and twenty-two, is hereby directed to make settlement of all claims and obligations heretofore incurred by the commission, and may expend for that purpose, and for the cost of making such a survey of the land acquired under said chapter four hundred and fifty-five as will afford a proper basis for working plans whereby the expense of constructing a memorial on such land may be properly estimated, such sums as may be approved by the governor and council, not exceeding such appropriation as may hereafter be made therefor. The said commission is hereby directed to make to the general court a further report of its proceedings under this

Further report.

resolve and said chapter four hundred and fifty-five, not later than the second Wednesday of January, nineteen hundred and twenty-four, and said commission is hereby revived and continued until said second Wednesday of January.

Commission
revived and
continued.

Approved May 25, 1923.

RESOLVE RELATIVE TO THE CLAIM OF HOLBROOK, CABOT & ROLLINS CORPORATION AGAINST THE COMMONWEALTH FOR DAMAGES CLAIMED ON ACCOUNT OF THE CONSTRUCTION OF THE COMMONWEALTH DRY DOCK AT SOUTH BOSTON.

Chap. 74

Resolved, That the attorney general, the state treasurer and the commissioner of public works shall constitute a board of review for the investigation of the claim of Holbrook, Cabot & Rollins Corporation against the commonwealth for damages claimed on account of the construction of the commonwealth dry dock at South Boston, as more particularly set forth in the report of the arbitration board appointed to consider said claim, whose report is contained in house document No. 1173 of nineteen hundred and twenty-one, and for this purpose may hold hearings, take evidence, administer oaths and issue subpoenas; and if, after investigation of said claim, said board of review shall determine that in equity and in good conscience the commonwealth should respond in damages, there shall be paid from the state treasury for settlement in full of such claim from the Development of the Port of Boston Investment Fund for the purposes of this resolve, such amount not exceeding two hundred thousand dollars as said board shall determine to be just and reasonable under all the circumstances of the case.

Investigation
of claim
of Holbrook,
Cabot & Rol-
lins Corpora-
tion against
commonwealth
for damages
on account of
construction of
commonwealth
dry dock at
South Boston.

Any payment made under authority of this resolve shall be made from the fund established by section four of chapter two hundred and twenty-five of the acts of nineteen hundred and twenty.

Payment from
certain fund.

Approved May 25, 1923.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND TWENTY-ONE.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION RELATIVE TO THE QUALIFICATIONS OF VOTERS FOR CERTAIN STATE OFFICERS.

Proposed amendment to the constitution relative to the qualifications of voters for certain state officers.

A joint session of the Senate and House of Representatives hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution, if similarly agreed to in joint session of the next General Court and approved by the people at the state election next following:

ARTICLE OF AMENDMENT.

Article III of the Amendments to the Constitution, as amended, is hereby further amended by striking out, in the first line, the word "male".

IN JOINT SESSION, May 24, 1921.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

HENRY D. COOLIDGE,

Clerk of the Joint Session.

MAY 10, 1923.

Certified to the secretary of the commonwealth for submission to the people at the next state election.

The foregoing Legislative Amendment is agreed to in joint session of the two houses, the said Amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

WILLIAM H. SANGER,

Clerk of the Joint Session.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND TWENTY-ONE.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION TO ENABLE WOMEN TO HOLD ANY STATE, COUNTY OR MUNICIPAL OFFICE.

A joint session of the Senate and House of Representatives hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution, if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following:

Proposed amendment to the constitution to enable women to hold any state, county or municipal office.

ARTICLE OF AMENDMENT.

SECTION 1. No person shall be deemed to be ineligible to hold state, county or municipal office by reason of sex.

SECTION 2. Article IV of the articles of amendment of the constitution of the commonwealth, as amended by Article LVII of said amendments, is hereby further amended by striking out the words "Change of name shall render the commission void, but shall not prevent reappointment under the new name", and inserting in place thereof the following words:— Upon the change of name of any woman, she shall re-register under her new name and shall pay such fee therefor as shall be established by the general court.

IN JOINT SESSION, May 24, 1921.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

HENRY D. COOLIDGE,

Clerk of the Joint Session.

MAY 10, 1923.

The foregoing Legislative Amendment is agreed to in joint session of the two houses, the said Amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

Certified to the secretary of the commonwealth for submission to the people at the next state election.

WILLIAM H. SANGER,

Clerk of the Joint Session.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, June 6, 1923.

Petition filed
requesting
referendum on
chapter 98,
Acts of 1923.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3", (Article 97 of the Rearrangement of the Constitution), a petition was filed in this office March 20, 1923, by the required number of qualified voters, asking for a referendum on Chapter 98, Acts of 1923, entitled, "An Act prohibiting the use of the names of political parties by organizations other than duly elected political committees", approved March 7, 1923, and requesting that the operation of said law be suspended.

Operation of
law not sus-
pended.

The completed number of subsequent signatures of qualified voters was not filed within the ninety days required by the Constitution, terminating June 5, 1923, and the operation of said law is accordingly not suspended.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, August 3, 1923.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3", (Article 97 of the Rearrangement of the Constitution), two petitions were filed in this office May 14 and 19, 1923, respectively, by the required number of qualified voters, asking for a referendum on Chapter 370, Acts of 1923, entitled, "An Act relative to intoxicating liquors and certain non-intoxicating beverages", approved May 9, 1923, and requesting that the operation of said law be suspended.

Petition filed
requesting
referendum on
chapter 370,
Acts of 1923.

Said petitions were completed by the filing in this office August 3, 1923, of more than a sufficient number (23,202) of subsequent signatures of qualified voters of the Commonwealth and the operation of the law was suspended thereby. Said law will be submitted to the people at the state election November 4, 1924, for their approval or disapproval.

Operation of
law suspended.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, August 27, 1923.

Petition filed
requesting
referendum on
chapter 454,
Acts of 1923.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3", (Article 97 of the Rearrangement of the Constitution), a petition was filed in this office May 28, 1923, by the required number of qualified voters, asking for a referendum on Chapter 454, Acts of 1923, entitled, "An Act to provide funds toward the cost of construction and maintenance of highways and bridges by means of an excise tax on gasoline and other fuel used for propelling motor vehicles upon or over the highways of the commonwealth", approved May 24, 1923, and requesting that the operation of said law be suspended.

Operation of
law suspended.

Said petition was completed by the filing in this office August 22, 1923, of more than a sufficient number (17,959) of subsequent signatures of qualified voters of the Commonwealth and the operation of the law was suspended thereby. Said law will be submitted to the people at the state election November 4, 1924, for their approval or disapproval.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, August 27, 1923.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3", (Article 97 of the Rearrangement of the Constitution), a petition was filed in this office June 20, 1923, by the required number of qualified voters, asking for a referendum on Chapter 473, Acts of 1923, entitled, "An Act relating to deposits with others than banks", approved May 25, 1923, and requesting that the operation of said law be suspended.

Petition filed
requesting
referendum on
chapter 473,
Acts of 1923.

Said petition was completed by the filing in this office August 23, 1923, of more than a sufficient number (15,715) of subsequent signatures of qualified voters of the Commonwealth and the operation of the law was suspended thereby. Said law will be submitted to the people at the state election November 4, 1924, for their approval or disapproval.

Operation of
law suspended.

FREDERIC W. COOK,
Secretary of the Commonwealth.

NUMBER OF ACTS AND RESOLVES APPROVED. APPROVAL WITHHELD. LIST OF ACTS VETOED AND DECLARED EMERGENCY LAWS BY THE GOVERNOR UNDER AUTHORITY OF THE CONSTITUTION. AND PROPOSALS FOR LEGISLATIVE AMENDMENTS TO THE CONSTITUTION.

The general court, during its first annual session held in 1923, passed 492 Acts and 74 Resolves, which received executive approval and 2 Acts from which executive approval was withheld but have become law by virtue of chapter 1, section 1, Article 2 of the Constitution of the Commonwealth.

Two (2) Acts entitled, respectively, "An Act establishing the salaries of certain employees of the sergeant-at-arms", (Chapter 400); and "An Act to fix the salaries of certain members of the metropolitan district commission", (Chapter 427), were passed, but failed to receive executive approval; as, however, they were not returned, with objections thereto, within five days after they had been received in the executive department, the general court not having been prorogued in the meantime, said acts have the force of law, under the provisions of the Constitution governing such cases, and have been so certified.

Three (3) Acts entitled, respectively, "An Act providing that assistants employed by custodians or janitors in public school buildings of the city of Boston be exempt from civil service laws and rules"; "An Act to ascertain the will of the people of Massachusetts with reference to the repeal of the eighteenth amendment to the constitution of the United States and to the amendment of the Federal statutory provisions for the enforcement thereof"; and "An Act authorizing the city of Holyoke to pay a sum of money to the widow of Thomas E. Powers", were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts thereby became void.

One (1) Act passed by the general court at its first annual session held in 1923, entitled "An Act relative to licenses for the sale of second hand motor vehicles" (Chapter 30) was declared to be an emergency law by the governor in accordance with the provisions of the forty-eighth amendment to the Constitution "The Referendum. II. Emergency Measures". Said Chapter 30 thereby took effect at twenty minutes past four o'clock P.M. on March 21, 1923.

The general court at a joint session of the two Houses held May 10, 1923 passed a "Proposal for a legislative amendment to the constitution relative to the qualifications of voters for certain state officers"; and a "Proposal for a legislative amendment to the constitution to enable women to hold any state, county or municipal office", which proposals, having been agreed to in joint session of the general court held May 24, 1921, have been certified by the clerk of the joint session to the secretary of the commonwealth, who will submit the amendments to the People at the next state election to be held November 4, 1924.

The "Proposal for a legislative amendment to the constitution relative to the establishment of municipal or city governments in towns", agreed to in joint session of the general court held May 24, 1921, was referred to the next general court. The Proposal, however, was refused a "third reading" at a joint session of the general court held May 10, 1923, and was accordingly not "agreed to," for submission to the People.

The general court was prorogued on Saturday, May 26, 1923, at five minutes past 12 o'clock A.M., the session having occupied 144 days.

RETURNS OF VOTES UPON CONSTITUTIONAL AMENDMENT AND QUESTIONS
SUBMITTED TO VOTERS.

Returns of Votes upon the Question "Shall an Amendment to the Constitution relative to Roll Calls in the General Court on the Adoption of Preambles of Emergency Laws, which received in a Joint Session of the Two Houses held May 27, 1920, 169 Votes in the Affirmative and 15 in the Negative, and at a Joint Session of the Two Houses held May 24, 1921, received 261 Votes in the Affirmative and 1 in the Negative, be approved?" submitted under the Provisions of Article XLVIII of the Amendments to the Constitution, (Re-arrangement, Article 88), to the Voters of the Commonwealth at the State Election held November 7, 1922.

County of Barnstable.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Barnstable	605	264	Orleans	124	52
Bourne	238	113	Provincetown	162	83
Brewster	72	21	Sandwich	177	77
Chatham	133	73	Truro	52	21
Dennis	160	48	Wellfleet	91	29
Eastham	35	14	Yarmouth	146	93
Falmouth	314	199			
Harwich	117	64	Total	2,456	1,158
Mashpee	30	16			

County of Berkshire.

Adams	627	989	New Marlborough	62	20
Alford	11	6	NORTH ADAMS	1,614	1,256
Becket	72	27	Otis	38	12
Cheshire	152	63	Peru	4	7
Clarksburg	72	50	PITTSFIELD	4,008	4,896
Dalton	405	236	Richmond	82	26
Egremont	27	22	Sandisfield	14	9
Florida	16	3	Savoy	15	5
Great Barrington	488	348	Sheffield	95	50
Hancock	39	19	Stockbridge	198	53
Hinsdale	65	23	Tyringham	27	13
Lanesborough	66	71	Washington	6	16
Lee	339	181	West Stockbridge	110	52
Lenox	258	177	Williamstown	265	164
Monterey	32	5	Windsor	21	14
Mount Washington	9	1			
New Ashford	4	1	Total	9,241	8,806

County of Bristol.

Aenshnet	157	106	North Attleborough	908	699
ATTLEBORO	1,625	876	Norton	202	101
Berkley	62	25	Raynham	86	76
Dartmouth	273	122	Rehoboth	109	30
Dighton	139	91	Seekonk	241	30
Easton	540	245	Somerset	208	98
Fairhaven	692	261	Swansea	174	98
FALL RIVER	6,184	9,893	TAUNTON	2,299	3,076
Freetown	77	28	Westport	142	86
Mansfield	566	243			
NEW BEDFORD	6,766	6,459	Total	21,444	22,643

County of Dukes County.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Chilmark	23	8	Tisbury	192	30
Edgartown	89	41	West Tisbury	62	8
Gay Head	5	9			
Gosnold	33	3	Total	493	131
Oak Bluffs	119	32			

County of Essex.

Amesbury	738	463	Methuen	1,309	1,030
Andover	1,097	435	Middleton	110	41
BEVERLY	2,305	1,510	Nahant	254	102
Boxford	87	14	Newbury	192	65
Danvers	1,070	493	NEWBURYPORT	1,222	912
Essex	129	56	North-Andover	635	623
Georgetown	191	53	PEABODY	1,356	1,370
GLOUCESTER	1,615	1,289	Rockport	353	150
Groveland	150	87	Rowley	153	43
Hamilton	230	115	SALEM	3,306	3,211
HAVERHILL	3,997	1,993	Salisbury	117	83
Ipswich	400	189	Saugus	1,158	550
LAWRENCE	5,298	7,127	Swampscott	1,343	372
LYNN	8,835	7,201	Topsfield	125	41
Lynnfield	144	67	Wenham	151	53
Manchester	329	109	West Newbury	119	38
Marblehead	928	469			
Merrimac	214	67	Total	39,630	30,412

County of Franklin.

Ashfield	61	9	Monroe	15	4
Barnardston	59	18	Montague	296	571
Buckland	86	92	New Salem	39	7
Charlemont	77	20	Northfield	185	34
Colrain	112	32	Orange	558	168
Conway	61	20	Rowe	33	4
Deerfield	178	59	Shelburne	192	76
Erving	59	49	Shutesbury	18	5
Gill	104	9	Sunderland	83	10
Greenfield	1,321	651	Warwick	32	9
Hawley	18	2	Wendell	24	8
Heath	22	6	Whately	28	4
Leverett	46	7			
Leyden	27	11	Total	3,834	1,885

County of Hampden.

Agawam	278	156	Montgomery	9	11
Blandford	50	13	Palmer	582	866
Brimfield	77	15	Russell	83	49
Chester	71	61	Southwick	79	21
CHICOPEE	1,311	1,903	SPRINGFIELD	8,558	7,610
East Longmeadow	218	100	Tolland	7	-
Granville	45	27	Wales	50	21
Hampden	47	28	West Springfield	994	691
Holland	10	14	WESTFIELD	1,220	1,183
HOLYOKE	3,692	5,270	Wilbraham	159	56
Longmeadow	365	101			
Ludlow	259	272	Total	18,556	18,735
Monson	392	267			

County of Hampshire.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Amherst	859	168	NORTHAMPTON	1,842	1,976
Belchertown	128	62	Pelham	43	17
Chesterfield	44	19	Plainfield	22	12
Cummington	56	10	Prescott	26	4
Easthampton	696	602	South Hadley	654	451
Enfield	67	25	Southampton	92	22
Goshen	19	7	Ware	440	526
Granby	55	13	Westhampton	71	2
Greenwich	23	9	Williamsburg	194	159
Hadley	124	29	Worthington	38	17
Hatfield	122	72			
Huntington	94	105	Total	5,733	4,317
Middlefield	24	10			

County of Middlesex.

Acton	292	92	Maynard	412	312
Arlington	3,014	1,012	MEDFORD	4,845	2,417
Ashby	78	19	MELROSE	3,335	880
Ashland	292	113	Natick	1,441	1,055
Ayer	309	292	NEWTON	8,523	2,693
Bedford	178	94	North Reading	143	42
Belmont	1,891	536	Pepperell	240	129
Billerica	423	281	Reading	1,392	386
Boxborough	32	16	Sherborn	186	49
Burlington	80	36	Shirley	176	86
CAMBRIDGE	9,676	6,986	SOMERVILLE	9,709	5,273
Carlisle	65	10	Stoneham	1,007	596
Chelmsford	559	216	Stow	167	29
Concord	950	394	Sudbury	161	34
Draeut	321	182	Tewksbury	180	80
Dunstable	39	6	Townsend	166	51
EVERETT	3,397	2,209	Tyngsborough	125	37
Frammingham	1,741	1,136	Wakefield	1,566	734
Groton	299	120	WALTHAM	3,260	1,974
Holliston	383	155	Watertown	3,062	1,459
Hopkinton	283	262	Wayland	266	162
Hudson	804	370	Westford	220	109
Lexington	1,036	326	Weston	487	81
Lincoln	200	62	Wilmington	249	123
Littleton	211	31	Winchester	1,982	533
LOWELL	8,363	6,874	WOBURN	1,834	1,428
MALDEN	4,135	3,106			
MARLBOROUGH	1,520	1,252	Total	85,705	46,940

County of Nantucket.

Nantucket	242	72
Total	242	72

County of Norfolk.

Avon	135	109	Needham	1,061	358
Bellingham	107	60	Norfolk	115	38
Braintree	1,186	641	Norwood	1,286	766
Brookline	6,874	2,030	Plainville	134	59
Canton	615	483	QUINCY	4,643	2,949
Cohasset	423	191	Randolph	419	388
Dedham	1,208	917	Sharon	481	194
Dover	150	56	Stoughton	599	466
Foxborough	383	143	Walpole	641	295
Franklin	550	358	Wellesley	1,153	329
Holbrook	250	114	Westwood	219	92
Medfield	219	77	Weymouth	1,499	823
Medway	231	132	Wrentham	170	41
Millis	122	81			
Milton	1,716	584	Total	26,589	12,774

County of Plymouth.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Abington	561	290	Mattapoisett	129	26
Bridgewater	507	195	Middleborough	745	236
Brockton	5,856	3,849	Norwell	161	70
Carver	47	16	Pembroke	108	44
Duxbury	189	65	Plymouth	824	482
East Bridgewater	276	155	Plympton	32	18
Halifax	57	11	Rochester	52	19
Hanover	228	68	Rockland	591	539
Hanson	175	54	Scituate	308	147
Hingham	734	340	Wareham	372	196
Hull	210	250	West Bridgewater	229	94
Kingston	182	88	Whitman	774	517
Lakeville	53	28			
Marion	110	43	Total	13,759	7,906
Marshfield	249	66			

County of Suffolk.

BOSTON	60,315	54,908	Winthrop	2,395	886
CHELSEA	2,082	2,165			
REVERE	1,982	2,333	Total	66,774	60,292

County of Worcester.

Ashburnham	138	75	North Brookfield	327	170
Athol	760	384	Northborough	308	95
Auburn	295	325	Northbridge	796	758
Barre	306	108	Oakham	67	25
Berlin	188	41	Oxford	287	251
Blackstone	162	443	Paxton	51	20
Bolton	117	25	Petersham	98	27
Boylston	102	63	Phillipston	40	2
Brookfield	167	52	Princeton	86	13
Charlton	158	104	Royalston	69	23
Clinton	1,119	1,492	Rutland	108	51
Dana	55	38	Shrewsbury	474	185
Douglas	249	108	Southborough	253	88
Dudley	178	293	Southbridge	954	1,464
East Brookfield	89	51	Spencer	516	583
FITCHBURG	3,274	3,232	Sterling	193	85
Gardner	1,318	762	Sturbridge	103	71
Grafton	552	373	Sutton	162	73
Hardwick	177	154	Templeton	271	120
Harvard	189	49	Upton	260	76
Holden	316	132	Uxbridge	475	481
Hopedale	444	129	Warren	242	202
Hubbardston	88	24	Webster	747	1,118
Lancaster	221	113	West Boylston	206	72
Leicester	347	399	West Brookfield	127	62
LEOMINSTER	1,682	1,370	Westborough	678	246
Lunenburg	182	37	Westminster	139	36
Mendon	143	30	Winchendon	416	308
Milford	941	1,051	WORCESTER	16,082	17,396
Millbury	422	404			
Millville	137	159	Total	39,093	36,040
New Braintree	42	9			

Aggregate of Votes.

Counties.	Yes.	No.	Counties.	Yes.	No.
BARNSTABLE	2,456	1,158	MIDDLESEX	85,705	46,940
BERKSHIRE	9,241	8,806	NANTUCKET	242	72
BRISTOL	21,444	22,643	NORFOLK	26,589	12,774
DUKES COUNTY	493	131	PLYMOUTH	13,759	7,906
ESSEX	39,630	30,412	SUFFOLK	66,774	60,292
FRANKLIN	3,834	1,885	WORCESTER	39,093	36,040
HAMPDEN	18,556	18,735			
HAMPSHIRE	5,733	4,317	TOTAL	333,549	252,111

Returns of Votes upon the Question "Shall a Law (Chapter 368 of the Acts of 1921) which provides that Any Voluntary Association composed of Five or More Persons, and not subject to the First Eleven Sections of Chapter 182 of the General Laws, may sue or be sued in its Common Name, that in Any Suit against Such Association, Service may be made upon Certain Designated Officers thereof, and that the Separate Property of Any Member thereof shall be exempt from Attachment or Execution in Any Such Suit, which Law was passed in the House of Representatives by a Vote of 124 in the Affirmative to 84 in the Negative, and in the Senate by a Majority not recorded, and was approved by His Excellency the Governor, be approved?", submitted under the Provisions of Article XLVIII of the Amendments to the Constitution, (Rearrangement, Article 88), to the Voters of the Commonwealth at the State Election held November 7, 1922.

County of Barnstable.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Barnstable	559	274	Orleans	127	55
Bourne	227	120	Provincetown	166	71
Brewster	71	24	Sandwich	153	112
Chatham	125	74	Truro	49	22
Dennis	155	48	Wellfleet	78	33
Eastham	34	13	Yarmouth	135	99
Falmouth	323	175			
Harwich	112	72	Total	2,347	1,206
Mashpee	33	14			

County of Berkshire.

Adams	584	1,090	New Marlborough	54	21
Alford	10	7	NORTH ADAMS	1,382	1,579
Becket	61	26	Otis	36	11
Cheshire	147	77	Peru	5	7
Clarksburg	58	65	PITTSFIELD	3,713	5,116
Dalton	370	267	Richmond	76	28
Egremont	41	19	Sandisfield	15	10
Florida	14	4	Savoy	13	6
Great Barrington	457	401	Sheffield	78	64
Hancock	31	22	Stockbridge	185	70
Hinsdale	55	44	Tyringham	25	17
Lanesborough	56	78	Washington	4	17
Lee	321	203	West Stockbridge	100	66
Lenox	231	201	Williamstown	228	191
Monterey	28	9	Windsor	17	12
Mount Washington	9	2			
New Ashford	3	2	Total	8,407	9,731

County of Bristol.

Acushnet	140	120	North Attleborough	871	796
ATTALEBORO	1,507	1,043	Norton	201	110
Berkley	68	31	Raynham	89	80
Dartmouth	281	123	Rehoboth	103	45
Dighton	158	95	Seekonk	232	37
Easton	477	324	Somerset	203	108
Fairhaven	655	318	Swansea	158	79
FALL RIVER	5,526	10,979	TAUNTON	2,106	3,486
Freetown	74	33	Westport	138	89
Mansfield	551	289			
NEW BEDFORD	5,911	7,686	Total	19,449	25,871

County of Dukes County.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Chilmark	22	8	Tisbury	169	33
Edgartown	95	40	West Tisbury	53	15
Gay Head	7	8			
Gosnold	33	3	Total	484	159
Oak Bluffs	105	52			

County of Essex.

Amesbury	699	560	Methuen	1,021	1,492
Andover	1,004	574	Middleton	87	65
BEVERLY	2,193	1,739	Nahant	231	133
Boxford	80	21	Newbury	183	67
Danvers	1,032	605	NEWBURYPORT	1,121	1,097
Essex	125	75	North Andover	550	777
Georgetown	172	63	PEABODY	1,178	1,664
GLOUCESTER	1,440	1,467	Rockport	331	198
Groveland	153	104	Rowley	139	55
Hamilton	216	133	SALEM	3,004	3,978
Haverhill	3,700	2,707	Salisbury	109	94
Ipswich	386	211	Saugus	1,082	645
LAWRENCE	3,799	9,044	Swampscott	1,312	459
LYNN	7,690	9,380	Topsfield	115	52
Lynnfield	144	69	Wenham	149	61
Manchester	307	136	West Newbury	135	44
Marblehead	885	531			
Merrimac	211	83	Total	34,986	38,293

County of Franklin.

Ashfield	67	7	Monroe	15	6
Barnardston	69	18	Montague	351	604
Buckland	100	74	New Salem	33	11
Charlemont	81	19	Northfield	174	39
Colrain	111	29	Orange	527	222
Conway	59	23	Rowe	36	6
Deerfield	176	80	Shelburne	211	59
Erving	57	59	Shutesbury	18	6
Gill	95	16	Sunderland	77	13
Greenfield	1,236	886	Warwick	26	12
Hawley	21	1	Wendell	22	11
Heath	26	4	Whately	25	8
Leverett	45	8			
Leyden	24	13	Total	3,682	2,234

County of Hampden.

Agawam	229	222	Montgomery	12	8
Blandford	48	12	Palmer	549	935
Brimfield	21	19	Russell	72	62
Chester	69	81	Southwick	66	22
CHICOPEE	1,197	2,108	SPRINGFIELD	8,076	8,354
East Longmeadow	211	103	Tolland	5	4
Granville	37	27	Wales	42	24
Hampden	48	28	West Springfield	848	859
Holland	8	12	WESTFIELD	1,115	1,317
HOLYOKE	3,136	6,045	Willbraham	155	61
Longmeadow	377	112			
Ludlow	264	287	Total	16,968	20,994
Monson	383	292			

County of Hampshire.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Amherst	828	216	NORTHAMPTON	1,818	2,147
Belchertown	127	59	Pelham	39	21
Chesterfield	42	18	Plainfield	18	13
Cummington	53	9	Prescott	23	5
Easthampton	646	661	South Hadley	587	524
Enfield	74	19	Southampton	88	28
Goshen	18	6	Ware	406	604
Granby	55	11	Westhampton	74	3
Greenwich	25	11	Williamsburg	199	171
Hadley	119	35	Worthington	38	18
Hatfield	127	57			
Huntington	87	108	Total	5,515	4,755
Middlefield	24	11			

County of Middlesex.

Acton	273	139	Maynard	311	455
Arlington	2,820	1,308	MEDFORD	4,315	3,182
Ashby	71	18	MELROSE	3,189	1,122
Ashland	255	147	Natick	1,339	1,253
Ayer	242	408	NEWTON	8,283	3,194
Bedford	187	104	North Reading	145	51
Belmont	1,823	647	Pepperell	246	145
Billerica	352	382	Reading	1,356	476
Boxborough	34	19	Sherborn	184	60
Burlington	71	47	Shirley	170	85
CAMBRIDGE	8,517	8,503	SOMERVILLE	8,596	6,793
Carlisle	70	11	Stoneham	969	689
Chelmsford	503	299	Stow	159	40
Concord	906	441	Sudbury	164	38
Draut	299	216	Tewksbury	181	105
Dunstable	38	8	Townsend	161	59
EVERETT	2,832	2,937	Tyngsborough	120	47
Framingham	1,555	1,361	Wakefield	1,455	922
Groton	280	136	WALTHAM	2,982	2,664
Holliston	353	211	Watertown	2,788	1,843
Hopkinton	253	300	Wayland	250	191
Hudson	740	478	Westford	221	133
Lexington	988	451	Weston	505	70
Lincoln	198	74	Wilmington	222	156
Littleton	195	36	Winchester	1,965	600
LOWELL	7,083	8,449	WOBURN	1,616	1,723
MALDEN	4,071	3,273			
MARLBOROUGH	1,156	1,652	Total	78,062	58,151

County of Nantucket.

Nantucket	224	81
Total	224	81

County of Norfolk.

Avon	99	142	Needham	1,029	421
Bellingham	94	72	Norfolk	104	54
Braintree	1,038	820	Norwood	1,169	1,070
Brookline	6,862	2,215	Plainville	134	66
Canton	512	559	QUINCY	4,468	3,320
Cohasset	422	202	Randolph	370	470
Dedham	1,138	1,072	Sharon	464	194
Dover	148	56	Stoughton	514	571
Foxborough	376	165	Walpole	555	417
Franklin	491	414	Wellesley	1,147	394
Holbrook	219	163	Westwood	210	105
Medfield	218	99	Weymouth	1,304	1,124
Medway	229	151	Wrentham	173	45
Millis	113	102			
Milton	1,648	663	Total	25,278	15,146

County of Plymouth.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Abington	490	372	Mattapoisett	127	29
Bridgewater	405	211	Middleborough	706	314
BROCKTON	4,815	5,439	Norwell	164	73
Carver	50	17	Pembroke	110	45
Duxbury	188	67	Plymouth	743	574
East Bridgewater	249	199	Plympton	35	16
Halifax	55	11	Rochester	52	21
Hanover	211	108	Rockland	496	692
Hanson	162	83	Scituate	309	156
Hingham	697	374	Wareham	360	220
Hull	176	275	West Bridgewater	204	132
Kingston	179	94	Whitman	628	698
Lakeville	56	28			
Marion	110	43	Total	12,020	10,346
Marshfield	243	55			

County of Suffolk.

BOSTON	50,660	67,474	Winthrop	2,337	1,060
CHELSEA	1,827	2,681			
REVERE	1,576	2,792	Total	56,400	74,007

County of Worcester.

Ashburnham	138	83	North Brookfield	335	186
Athol	708	436	Northborough	287	123
Auburn	297	341	Northbridge	715	873
Barre	279	122	Oakham	67	36
Berlin	198	39	Oxford	273	275
Blackstone	148	479	Paxton	47	19
Bolton	123	27	Petersham	94	34
Boylston	103	59	Phillipston	39	8
Brookfield	169	61	Princeton	79	18
Charlton	167	102	Royalston	67	31
Clinton	993	1,564	Rutland	109	63
Dana	48	55	Shrewsbury	470	194
Douglas	227	130	Southborough	238	112
Dudley	169	295	Southbridge	888	1,541
East Brookfield	79	59	Spencer	521	608
FITCHBURG	2,879	3,794	Sterling	193	92
Gardner	1,208	879	Sturbridge	104	77
Grafton	517	409	Sutton	158	83
Hardwick	160	180	Templeton	264	143
Harvard	188	47	Upton	242	92
Holden	313	140	Uxbridge	451	530
Hopedale	408	168	Warren	234	210
Hubbardston	84	30	Webster	671	1,207
Lancaster	217	110	West Boylston	221	64
Leicester	366	390	West Brookfield	122	66
LEOMINSTER	1,589	1,465	Westborough	663	280
Lunenburg	176	43	Westminster	146	33
Mendon	124	33	Winchendon	410	299
Millford	782	1,309	WORCESTER	14,913	19,424
Millbury	412	463			
Millville	110	189	Total	36,438	40,231
New Braintree	38	9			

Aggregate of Votes.

Counties.	Yes.	No.	Counties.	Yes.	No.
BARNSTABLE	2,347	1,206	MIDDLESEX	78,062	58,151
BERKSHIRE	8,407	9,731	NANTUCKET	224	81
BRISTOL	19,449	25,871	NORFOLK	25,278	15,146
DUKES COUNTY	484	159	PLYMOUTH	12,020	10,346
ESSEX	34,986	38,293	SUFFOLK	56,400	74,007
FRANKLIN	3,682	2,234	WORCESTER	36,438	40,231
HAMPDEN	16,968	20,994			
HAMPSHIRE	5,515	4,755	TOTAL	300,260	301,205

Returns of Votes upon the Question "Shall a Law (Chapter 438 of the Acts of 1921) which provides that it shall be unlawful for Any Person to exhibit or display publicly in this Commonwealth Any Motion Picture Film unless such Film has been submitted to and approved by the Commissioner of Public Safety, who may, subject to the Appeal given by the Act, disapprove Any Film or Part thereof which is Obscene, Indecent, Immoral, Inhuman or tends to debase or corrupt Morals or incite to Crime, and may, subject to the Approval of the Governor and Council, make Rules and Regulations for the Enforcement of the Act, which Law was passed in the House of Representatives by a Majority not recorded, and in the Senate by 21 Votes in the Affirmative to 16 Votes in the Negative, and was approved by His Excellency the Governor, be approved?", submitted under the Provisions of Article XLVIII of the Amendments to the Constitution. (Rearrangement, Article 88), to the Voters of the Commonwealth at the State Election held November 7, 1922.

County of Barnstable.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Barnstable	317	772	Orleans	87	166
Bourne	172	316	Provincetown	96	231
Brewster	63	62	Sandwich	115	257
Chatham	80	201	Truro	38	42
Dennis	128	163	Wellfleet	58	102
Eastham	27	46	Yarmouth	84	234
Falmouth	196	550			
Harwich	70	182	Total	1,550	3,356
Mashpee	19	32			

County of Berkshire.

Adams	505	1,674	New Marlborough	56	41
Alford	13	11	NORTH ADAMS	1,188	2,766
Becket	67	66	Otis	27	32
Cheshire	153	125	Peru	7	11
Clarksburg	66	93	PITTSFIELD	3,217	7,053
Dalton	365	507	Richmond	75	38
Egremont	30	49	Sandisfield	16	15
Florida	16	8	Savoy	14	26
Great Barrington	310	928	Sheffield	80	104
Hancock	39	33	Stockbridge	168	188
Hinsdale	61	52	Tyringham	25	33
Lanesborough	56	108	Washington	3	24
Lee	231	452	West Stockbridge	82	122
Lenox	206	331	Williamstown	242	330
Monterey	29	17	Windsor	22	25
Mount Washington	5	8			
New Ashford	6	2	Total	7,380	15,272

County of Bristol.

Acushnet	89	236	North Attleborough	549	1,919
ATTLEBORO	1,216	2,475	Norton	143	264
Berkley	58	77	Raynham	60	186
Dartmouth	274	348	Rehoboth	98	74
Dighton	81	243	Seekonk	204	116
Easton	307	739	Somerset	185	267
Fairhaven	279	1,008	Swansea	150	169
FALL RIVER	4,618	15,368	TAUNTON	1,245	6,049
Freetown	52	73	Westport	103	199
Mansfield	426	683			
NEW BEDFORD	2,924	15,131	Total	13,061	45,624

County of Dukes County.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Chilmark	26	28	Tisbury	155	117
Edgartown	61	133	West Tisbury	50	46
Gay Head	3	22			
Gosnold	6	35	Total	369	509
Oak Bluffs	68	128			

County of Essex.

Amesbury	485	1,436	Methuen	882	2,293
Andover	738	1,276	Middleton	89	126
BEVERLY	1,206	4,043	Nahant	157	334
Boxford	54	71	Newbury	132	192
Danvers	1,035	1,228	NEWBURYPORT	781	2,135
Essex	95	179	North Andover	429	1,283
Georgetown	186	163	PEABODY	822	2,890
GLOUCESTER	983	3,121	Rockport	267	404
Groveland	154	257	Rowley	121	159
Hamilton	125	316	SALEM	2,290	6,480
HAVERHILL	3,207	5,639	Salisbury	105	175
Ipswich	291	628	Saugus	782	1,532
LAWRENCE	3,626	12,664	Swampscott	658	1,594
LYNN	5,873	15,763	Topsfield	64	144
Lynnfield	105	201	Wenham	113	160
Manchester	142	451	West Newbury	122	123
Marblehead	610	1,426			
Merrimac	185	282	Total	26,934	69,168

County of Franklin.

Ashfield	56	66	Monroe	14	12
Barnardston	51	63	Montague	246	1,151
Buckland	86	176	New Salem	35	31
Charlemont	74	58	Northfield	119	149
Colrain	81	109	Orange	391	679
Conway	61	69	Rowe	18	23
Deerfield	105	246	Shelburne	155	198
Erving	45	117	Shutesbury	18	11
Gill	90	57	Sunderland	47	84
Greenfield	740	2,006	Warwick	21	32
Hawley	8	17	Wendell	20	25
Heath	35	16	Whately	25	30
Leverett	38	27			
Leyden	17	27	Total	2,596	5,479

County of Hampden.

Agawam	200	371	Montgomery	12	19
Blandford	42	36	Palmer	340	1,472
Brimfield	59	52	Russell	40	130
Chester	57	128	Southwick	74	61
CHICOPEE	726	3,302	SPRINGFIELD	4,769	14,793
East Longmeadow	181	170	Tolland	11	1
Granville	29	77	Wales	30	46
Hampden	30	62	West Springfield	601	1,543
Holland	14	11	WESTFIELD	661	2,489
HOLYOKE	2,144	9,518	Wilbraham	113	138
Longmeadow	189	292			
Ludlow	180	478	Total	10,775	35,917
Monson	273	628			

County of Hampshire.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Amherst	525	747	NORTHAMPTON	933	3,814
Belchertown	107	179	Pelham	27	50
Chesterfield	54	32	Plainfield	33	21
Cummingtown	55	27	Prescott	23	11
Easthampton	402	1,249	South Hadley	430	971
Enfield	45	89	Southampton	71	72
Goshen	15	14	Ware	234	1,183
Granby	49	52	Westhampton	65	23
Greenwich	8	53	Williamsburg	177	281
Hadley	81	113	Worthington	24	43
Hatfield	89	146			
Huntington	74	199	Total	3,542	9,391
Middlefield	21	22			

County of Middlesex.

Acton	182	351	Maynard	310	834
Arlington	1,690	3,461	MEDFORD	2,534	6,872
Ashby	74	47	MELROSE	1,630	3,601
Ashland	182	333	Natick	1,449	2,159
Ayer	182	583	NEWTON	4,919	8,955
Bedford	146	239	North Reading	107	150
Belmont	1,147	1,898	Pepperell	208	297
Billerica	259	715	Reading	860	1,455
Boxborough	21	48	Sherborn	147	179
Burlington	53	100	Shirley	101	224
CAMBRIDGE	5,707	15,506	SOMERVILLE	5,605	13,375
Carlisle	64	42	Stonham	654	1,531
Chelmsford	480	713	Stow	125	119
Concord	662	1,035	Sudbury	127	126
Dracut	286	430	Tewksbury	136	221
Dunstable	31	26	Townsend	136	147
EVERETT	2,147	5,444	Tyngsborough	79	134
Frammingham	1,004	2,929	Wakefield	898	2,388
Groton	191	333	WALTHAM	2,049	5,116
Holliston	256	558	Watertown	2,086	3,712
Hopkinton	186	535	Wayland	193	347
Hudson	595	1,217	Westford	139	330
Lexington	631	1,132	Weston	263	418
Lincoln	104	199	Wilmington	158	340
Littleton	145	132	Winchester	1,156	2,002
LOWELL	6,558	13,808	WOBURN	1,116	3,032
MALDEN	2,596	7,059			
MARLBOROUGH	749	3,224	Total	53,513	120,164

County of Nantucket.

Nantucket				190	233
Total				190	233

County of Norfolk.

Avon	70	306	Needham	542	1,517
Bellingham	93	144	Norfolk	90	109
Braintree	613	1,855	Norwood	1,099	1,655
Brookline	3,111	7,719	Plainville	87	201
Canton	282	1,109	QUINCY	2,546	7,530
Cohasset	313	510	Randolph	243	856
Dedham	686	2,167	Sharon	318	538
Dover	81	176	Stoughton	344	1,272
Foxborough	226	488	Walpole	394	785
Franklin	339	791	Wellesley	534	1,336
Holbrook	158	437	Westwood	172	243
Medfield	165	279	Weymouth	848	2,487
Medway	194	339	Wrentham	129	160
Millis	92	244			
Milton	952	1,870	Total	14,721	37,123

County of Plymouth.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Abington	374	914	Mattapoisett	91	152
Bridgewater	252	609	Middleborough	549	954
BROCKTON	3,054	11,070	Norwell	102	190
Carver	50	49	Pembroke	71	119
Duxbury	116	220	Plymouth	435	1,619
East Bridgewater	158	532	Plympton	27	49
Halifax	35	50	Rochester	26	74
Hanover	122	333	Rockland	348	1,711
Hanson	97	200	Scituate	179	423
Hingham	367	1,005	Wareham	270	481
Hull	109	458	West Bridgewater	127	303
Kingston	118	255	Whitman	546	1,502
Lakeville	35	85			
Marion	63	147	Total	7,851	23,755
Marshfield	130	251			

County of Suffolk.

BOSTON	38,240	104,824	Winthrop	1,351	2,983
CHELSEA	1,340	4,228			
REVERE	1,092	4,575	Total	42,023	116,610

County of Worcester.

Ashburnham	108	186	North Brookfield	239	457
Athol	553	1,223	Northborough	194	306
Auburn	176	591	Northbridge	488	1,405
Barre	170	324	Oakham	39	74
Berlin	127	141	Oxford	201	489
Blackstone	162	570	Paxton	44	37
Bolton	81	88	Petersham	93	56
Boylston	54	143	Phillipston	37	9
Brookfield	142	144	Princeton	61	62
Charlton	117	199	Royalston	46	79
Clinton	692	2,647	Rutland	87	151
Dana	46	93	Shrewsbury	256	565
Douglas	183	234	Southborough	190	300
Dudley	108	466	Southbridge	558	2,448
East Brookfield	52	128	Spencer	342	1,129
FITCHBURG	1,665	6,368	Sterling	166	170
Gardner	829	2,112	Sturbridge	62	163
Grafton	384	834	Sutton	131	164
Hardwick	108	334	Templeton	197	364
Harvard	120	175	Upton	206	233
Holden	215	347	Uxbridge	364	795
Hopedale	233	543	Warren	183	432
Hubbardston	52	92	Webster	420	1,802
Lancaster	137	290	West Boylston	160	177
Leicester	190	711	West Brookfield	73	173
LEOMINSTER	1,200	2,550	Westborough	367	866
Lunenburg	132	156	Westminster	87	128
Mendon	98	120	Winchendon	284	676
Milford	571	2,340	WORCESTER	9,054	31,587
Millbury	285	826			
Millville	110	261	Total	23,747	70,572
New Braintree	18	39			

Aggregate of Votes.

Counties.	Yes.	No.	Counties.	Yes.	No.
BARNSTABLE	1,550	3,356	MIDDLESEX	53,513	120,164
BERKSHIRE	7,380	15,272	NANTUCKET	190	233
BRISTOL	13,061	45,624	NORFOLK	14,721	37,123
DUKES COUNTY	369	509	PLYMOUTH	7,851	23,755
ESSEX	26,934	69,168	SUFFOLK	42,023	116,610
FRANKLIN	2,596	5,479	WORCESTER	23,747	70,572
HAMPDEN	10,775	35,917			
HAMPSHIRE	3,542	9,391	TOTAL	208,252	553,173

Returns of Votes upon the Question "Shall a Law (Chapter 427 of the Acts of 1922) enacted to enforce in Massachusetts the Eighteenth Amendment to the Constitution of the United States, which provides that except as authorized by the Act, the Manufacture, Sale, Barter, Transportation, Importation, Exportation, Delivery, Furnishing or Possessing of Any Intoxicating Liquor, as defined in the Act, shall be a Criminal Offence and be punished in the Manner prescribed by the Act, which Law was passed in the House of Representatives by a Majority of 134 in the Affirmative to 68 in the Negative, and in the Senate by a Majority of 28 in the Affirmative to 9 in the Negative, and was approved by His Excellency the Governor, be approved?", submitted under the Provisions of Article XLVIII of the Amendments to the Constitution, (Rearrangement, Article 88), to the Voters of the Commonwealth at the State Election held November 7, 1922.

County of Barnstable.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Barnstable	590	533	Orleans	139	117
Bourne	274	258	Provincetown	177	170
Brewster	77	71	Sandwich	190	191
Chatham	153	131	Truro	50	37
Dennis	189	122	Wellfleet	112	70
Eastham	38	40	Yarmouth	156	166
Falmouth	357	394			
Harwich	138	134	Total	2,685	2,455
Mashpee	45	21			

County of Berkshire.

Adams	763	1,489	New Marlborough	80	38
Alford	21	12	NORTH ADAMS	1,887	2,051
Becket	85	66	Otis	36	31
Cheshire	177	77	Peru	4	20
Clarksburg	94	76	PITTSFIELD	4,471	6,262
Dalton	591	411	Richmond	98	30
Egremont	43	36	Sandisfield	14	19
Florida	18	8	Savoy	20	25
Great Barrington	637	586	Sheffield	115	86
Hancock	46	29	Stockbridge	210	158
Ilinsdale	95	40	Tyringham	43	23
Lanesborough	98	99	Washington	4	27
Lee	377	360	West Stockbridge	137	101
Lenox	262	331	Williamstown	356	276
Monterey	37	16	Windsor	32	19
Mount Washington	4	8			
New Ashford	5	2	Total	10,860	12,812

County of Bristol.

Acushnet	174	168	North Attleborough	954	1,338
ATTLEBORO	1,825	1,932	Norton	229	191
Berkley	90	47	Raynham	122	112
Dartmouth	331	238	Rehoboth	125	60
Dighton	199	150	Seekonk	236	74
Easton	558	544	Somersct	285	156
Fairhaven	718	573	S Swansea	209	113
FALL RIVER	6,360	12,402	TAUNTON	2,598	4,449
Freetown	78	52	Westport	214	137
Mansfield	618	530			
NEW BEDFORD	6,400	11,672	Total	22,323	34,938

County of Dukes County.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Chilmark	45	12	Tisbury	189	94
Edgartown	96	105	West Tisbury	79	27
Gay Head	10	20			
Gosnold	19	21	Total	556	367
Oak Bluffs	118	88			

County of Essex.

Amesbury	916	937	Methuen	1,355	1,754
Andover	1,070	912	Middleton	135	99
BEVERLY	2,280	2,888	Nahant	250	263
Boxford	83	50	Newbury	195	170
Danvers	1,226	949	NEWBURYPORT	1,390	1,619
Essex	169	131	North Andover	693	1,036
Georgetown	243	134	PEABODY	1,266	2,233
GLOUCESTER	2,408	1,948	Rockport	427	292
Groveland	217	196	Rowley	178	103
Hamilton	192	243	SALEM	3,074	5,140
Haverhill	4,435	4,294	Salisbury	145	146
Ipswich	446	397	Saugus	1,337	963
LAWRENCE	4,402	11,014	Swampscott	1,393	827
LYNN	9,806	11,111	Topsfield	129	112
Lynnfield	185	138	Wenham	146	110
Manchester	267	341	West Newbury	192	80
Marblehead	1,090	889			
Merrimac	301	175	Total	42,041	51,697

County of Franklin.

Ashfield	84	31	Monroe	16	11
Barnardston	84	41	Montague	448	868
Ruckland	153	125	New Salem	61	9
Charlemont	101	34	Northfield	229	77
Colrain	153	64	Orange	645	479
Conway	90	46	Rowe	27	21
Deerfield	198	154	Shelburne	290	89
Erving	75	81	Shutesbury	17	16
Gill	126	36	Sunderland	118	23
Greenfield	1,442	1,277	Warwick	36	21
Hawley	15	12	Wendell	29	25
Heath	41	14	Whately	38	23
Leverett	56	16			
Leyden	28	16	Total	4,600	3,609

County of Hampden.

Agawam	283	321	Montgomery	10	25
Blandford	59	28	Palmer	586	1,141
Brimfield	87	38	Russell	77	92
Chester	80	116	Southwick	85	57
CHICOPEE	1,216	2,738	SPRINGFIELD	7,992	11,811
East Longmeadow	235	141	Tolland	9	2
Granville	53	64	Wales	37	44
Hampden	49	55	West Springfield	927	1,256
Holland	15	13	WESTFIELD	1,208	1,873
HOLYOKE	3,848	7,660	Wilbraham	154	135
Longmeadow	333	256			
Ludlow	230	459	Total	18,021	28,780
Monson	448	455			

County of Hampshire.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Amherst	935	412	NORTHAMPTON	2,093	2,801
Belchertown	168	134	Pelham	48	41
Chesterfield	86	34	Plainfield	42	24
Cummington	64	23	Prescott	27	13
Easthampton	701	981	South Hadley	682	706
Enfield	66	58	Southampton	108	52
Goshen	20	12	Ware	501	770
Granby	89	24	Westhampton	83	8
Greenwich	37	28	Williamsburg	254	236
Hadley	138	72	Worthington	41	38
Hatfield	122	134			
Huntington	137	151	Total	6,469	6,771
Middlefield	27	19			

County of Middlesex.

Acton	312	243	Maynard	552	561
Arlington	2,835	2,318	MEDFORD	4,119	4,818
Ashby	90	40	MELROSE	3,290	1,913
Ashland	333	209	Natick	1,549	1,913
Ayer	301	466	NEWTON	7,795	5,818
Bedford	209	184	North Reading	178	83
Belmont	1,743	1,294	Pepperell	292	227
Billerica	506	489	Reading	1,481	861
Boxborough	40	34	Sherborn	184	140
Burlington	85	79	Shirley	154	183
CAMBRIDGE	8,418	12,754	SOMERVILLE	8,817	9,935
Carlisle	75	35	Stoneham	1,095	1,033
Chelmsford	737	419	Stow	159	83
Concord	936	807	Sudbury	166	96
Dracut	363	304	Tewksbury	209	153
Dunstable	46	18	Townsend	177	117
EVERETT	3,228	4,100	Tyngsborough	128	76
Frammingham	1,762	2,060	Wakefield	1,583	1,601
Groton	273	260	WALTHAM	3,379	3,509
Holliston	453	400	Watertown	2,782	2,911
Hopkinton	292	418	Wayland	281	277
Hudson	822	832	Westford	235	213
Lexington	980	802	Weston	422	276
Lincoln	159	150	Wilmington	258	244
Littleton	223	69	Winchester	1,868	1,311
LOWELL	8,210	10,922	Woburn	1,731	2,231
MALDEN	4,851	4,766			
MARLBOROUGH	1,480	2,287	Total	82,646	87,282

County of Nantucket.

Nantucket	256	209
Total	256	209

County of Norfolk.

Avon	149	233	Needham	1,180	854
Bellingham	111	122	Norfolk	121	83
Braintree	1,142	1,280	Norwood	1,291	1,435
Brookline	5,013	5,624	Plainville	149	140
Canton	552	822	QUINCY	4,811	5,181
Colasset	413	412	Randolph	408	677
Dedham	1,082	1,730	Sharon	526	332
Dover	119	140	Stoughton	618	970
Foxborough	420	301	Walpole	598	578
Franklin	503	668	Wellesley	1,066	718
Holbrook	311	285	Westwood	237	195
Medfield	226	228	Weymouth	1,678	1,757
Medway	296	254	Wrentham	171	120
Millis	151	161			
Milton	1,440	1,384	Total	24,785	26,687

County of Plymouth.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Abington	591	619	Mattapoisett	183	83
Bridgewater	464	425	Middleborough	916	592
BROCKTON	6,006	8,110	Norwell	167	134
Carver	75	33	Pembroke	110	102
Duxbury	190	170	Plymouth	850	1,137
East Bridgewater	308	352	Plympton	54	32
Halifax	54	33	Rochester	68	39
Hanover	250	219	Rockland	714	1,117
Hanson	164	155	Scituate	309	302
Hingham	605	768	Wareham	409	395
Hull	169	431	West Bridgewater	259	189
Kingston	210	176	Whitman	969	1,062
Lakeville	69	56			
Marion	119	88	Total	14,564	16,943
Marshfield	282	124			

County of Suffolk.

BOSTON	48,586	92,282	Winthrop	2,194	2,035
CHELSEA	1,852	3,522			
REVERE	1,647	3,815	Total	54,279	101,654

County of Worcester.

Ashburnham	165	157	North Brookfield	329	323
Athol	986	872	Northborough	291	201
Auburn	369	407	Northbridge	741	1,171
Barre	356	209	Oakham	81	41
Berlin	218	55	Oxford	310	387
Blackstone	198	564	Paxton	63	25
Bolton	135	41	Petersham	106	62
Boylston	119	76	Phillipston	45	8
Brookfield	176	120	Princeton	109	29
Charlton	174	148	Royalston	90	51
Clinton	1,184	2,134	Rutland	142	106
Dana	73	80	Shrewsbury	501	338
Douglas	243	202	Southborough	270	217
Dudley	174	370	Southbridge	928	2,056
East Brookfield	78	101	Spencer	560	839
FITCHBURG	2,754	5,117	Sterling	212	142
Gardner	1,471	1,496	Sturbridge	117	119
Grafton	608	625	Sutton	180	134
Hardwick	204	254	Templeton	374	231
Harvard	197	107	Upton	265	178
Holden	392	203	Uxbridge	511	672
Hopedale	434	299	Warren	276	327
Hubbardston	97	58	Webster	635	1,671
Lancaster	199	236	West Boylston	271	88
Leicester	348	565	West Brookfield	161	105
LEOMINSTER	1,667	2,100	Westborough	757	516
Lunenburg	207	99	Westminster	163	63
Mendon	147	76	Winchendon	482	560
Millford	935	1,763	WORCESTER	15,945	23,566
Millbury	480	608			
Millville	132	251	Total	39,879	53,636
New Braintree	44	17			

Aggregate of Votes.

Counties.	Yes.	No.	Counties.	Yes.	No.
BARNSTABLE	2,685	2,455	MIDDLESEX	82,646	87,282
BERKSHIRE	10,860	12,812	NANTUCKET	256	209
BRISTOL	22,323	34,938	NORFOLK	24,785	26,687
DUKES COUNTY	556	367	PLYMOUTH	14,564	16,943
ESSEX	42,041	51,697	SUFFOLK	54,279	101,654
FRANKLIN	4,600	3,609	WORCESTER	39,879	53,636
HAMPDEN	18,021	28,780			
HAMPSHIRE	6,469	6,771	TOTAL	323,964	427,840

Returns of Votes upon the Question "Shall a Law (Chapter 459 of the Acts of 1922) which provides that a District Attorney shall be a Member of the Bar of the Commonwealth, passed in the House of Representatives by a Majority not recorded, and in the Senate by a Majority not recorded, and approved by His Excellency the Governor, be approved?", submitted under the Provisions of Article XLVIII of the Amendments to the Constitution, (Rearrangement, Article 88), to the Voters of the Commonwealth at the State Election held November 7, 1922.

County of Barnstable.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Barnstable	654	248	Orleans	150	43
Bourne	306	102	Provincetown	204	54
Brewster	78	21	Sandwich	206	106
Chatham	155	70	Truro	61	18
Dennis	183	56	Wellfleet	111	26
Eastham	40	13	Yarmouth	172	94
Falmouth	399	185			
Harwich	157	59	Total	2,917	1,107
Mashpee	41	12			

County of Berkshire.

Adams	831	984	New Marlborough	67	18
Alford	14	9	NORTH ADAMS	2,026	1,334
Becket	89	31	Otis	40	13
Cheshire	205	113	Peru	6	9
Clarksburg	76	61	PRITTSFIELD	4,893	4,737
Dalton	506	264	Richmond	89	16
Egremont	45	19	Sandisfield	16	10
Florida	19	4	Savoy	19	7
Great Barrington	586	384	Sheffield	125	44
Hancock	44	16	Stockbridge	217	82
Hinsdale	72	39	Tyringham	39	11
Lanesborough	79	70	Washington	13	16
Lee	411	206	West Stockbridge	136	57
Lenox	269	189	Williamstown	335	142
Monterey	28	13	Windsor	27	12
Mount Washington	12	-			
New Ashford	4	2	Total	11,338	8,912

County of Bristol.

Acushnet	188	112	North Attleborough	1,079	840
ATTLEBORO	1,818	1,263	Norton	251	98
Berkley	79	24	Raynham	118	71
Dartmouth	350	115	Rehoboth	123	25
Dighton	189	76	Seekonk	259	31
Easton	570	292	Somerset	228	137
Fairhaven	845	289	Swansea	212	65
FALL RIVER	7,163	10,295	TAUNTON	2,714	3,502
Freetown	91	25	Westport	196	83
Mansfield	679	261			
NEW BEDFORD	8,323	7,082	Total	25,505	24,686

County of Dukes County.

Chilmark	29	10	Tisbury	213	36
Edgartown	110	46	West Tisbury	80	6
Gay Head	11	13			
Gosnold	38	6	Total	622	156
Oak Bluffs	141	39			

County of Essex.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Amesbury	886	572	Methuen	1,504	1,095
Andover	1,272	472	Middleton	127	51
BEVERLY	2,864	1,639	Nahant	325	123
Boxford	83	24	Newbury	236	62
Danvers	1,365	537	NEWBURYPORT	1,531	980
Essex	166	65	North Andover	829	610
Georgetown	220	65	PEABODY	1,610	1,586
GLOUCESTER	2,125	1,338	Rockport	378	162
Groveland	202	100	Rowley	192	32
Hamilton	272	116	SALEM	4,128	3,378
HAVERHILL	4,594	2,356	Salisbury	155	81
Ipswich	495	207	Saugus	1,461	551
LAWRENCE	5,681	8,093	Swampscott	1,705	324
LYNN	10,829	7,987	Topsfield	141	44
Lynnfield	199	68	Wenham	183	50
Manchester	415	101	West Newbury	171	40
Marblehead	1,164	507			
Merrimac	254	86	Total	47,762	33,502

County of Franklin.

Ashfield	88	8	Monroe	17	5
Barnardston	79	21	Montague	485	625
Buckland	125	81	New Salem	43	4
Charlemont	103	15	Northfield	200	32
Colrain	134	36	Orange	636	213
Conway	84	23	Rowe	32	6
Deerfield	219	108	Shelburne	263	49
Erving	81	46	Shutesbury	21	10
Gill	117	10	Sunderland	103	9
Greenfield	1,687	672	Warwick	38	5
Hawley	17	6	Wendell	26	7
Heath	36	5	Whately	41	4
Leverett	50	7			
Leyden	37	4	Total	4,762	2,011

County of Hampden.

Agawam	359	142	Montgomery	19	4
Blandford	58	13	Palmer	746	829
Brimfield	81	23	Russell	106	39
Chester	98	63	Southwick	82	29
CHICOPEE	1,783	1,783	SPRINGFIELD	11,677	6,516
East Longmeadow	247	80	Tolland	7	-
Granville	58	24	Wales	52	17
Hampden	54	28	West Springfield	1,240	667
Holland	20	5	WESTFIELD	1,541	1,226
HOLYOKE	4,602	5,096	Wilbraham	186	61
Longmeadow	466	76			
Ludlow	367	229	Total	24,345	17,192
Monson	496	242			

County of Hampshire.

Amherst	969	179	NORTHAMPTON	2,480	1,739
Belchertown	159	62	Pelham	54	13
Chesterfield	59	11	Plainfield	31	10
Cummington	71	4	Prescott	25	2
Easthampton	859	584	South Hadley	760	398
Enfield	98	22	Southampton	112	21
Goshen	23	4	Ware	647	505
Granby	75	11	Westhampton	72	5
Greenwich	40	6	Williamsburg	242	159
Hadley	156	32	Worthington	42	13
Hatfield	139	77			
Huntington	140	95	Total	7,283	3,962
Middlefield	30	10			

County of Middlesex.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
Acton	366	102	Maynard	525	384
Arlington	3,505	1,329	MEDFORD	5,805	2,623
Ashby	87	15	MELROSE	3,978	862
Ashland	351	116	Natick	1,638	1,385
Ayer	347	305	NEWTON	9,889	2,927
Bedford	253	99	North Reading	188	34
Belmont	2,213	629	Pepperell	291	134
Billerica	504	328	Reading	1,672	379
Boxborough	40	19	Sherborn	225	54
Burlington	90	48	Shirley	199	84
CAMBRIDGE	10,995	8,784	SOMERVILLE	11,155	6,297
Carlisle	75	14	Stoneham	1,326	633
Chelmsford	713	230	Stow	188	32
Concord	1,073	454	Sudbury	191	46
Dracut	407	169	Tewksbury	230	89
Dunstable	49	6	Townsend	196	51
EVERETT	4,217	2,456	Tyngsborough	131	50
Frammingham	2,061	1,240	Wakefield	1,944	836
Groton	342	125	WALTHAM	4,020	2,321
Holliston	459	194	Watertown	3,467	1,819
Hopkinton	335	292	Wayland	321	170
Hudson	927	500	Westford	274	104
Lexington	1,258	392	Weston	586	51
Lincoln	249	47	Wilmington	320	117
Littleton	237	17	Winchester	2,319	594
LOWELL	9,963	7,579	WOBURN	1,948	1,803
MALDEN	5,857	2,812			
MARLBOROUGH	1,679	1,527	Total	101,678	53,707

County of Nantucket.

Nantucket	268	97
Total	268	97

County of Norfolk.

Avon	170	128	Needham	1,407	373
Bellingham	138	81	Norfolk	135	40
Braintree	1,367	698	Norwood	1,436	953
Brookline	8,211	2,083	Plainville	157	70
Canton	685	564	QUINCY	5,983	2,996
Cohasset	502	220	Randolph	498	467
Dedham	1,456	1,074	Sharon	568	185
Dover	191	41	Stoughton	674	594
Foxborough	447	151	Walpole	698	382
Franklin	628	416	Wellesley	1,387	332
Holbrook	299	170	Westwood	256	99
Medfield	282	105	Weymouth	1,805	1,042
Medway	271	169	Wrentham	211	55
Millis	160	99			
Milton	2,009	603	Total	32,031	14,190

County of Plymouth.

Abington	643	347	Mattapoisett	169	35
Bridgewater	440	162	Middleborough	876	276
BROCKTON	6,875	4,711	Norwell	187	88
Carver	51	19	Pembroke	140	40
Duxbury	227	65	Plymouth	1,081	516
East Bridgewater	349	173	Plympton	50	14
Halifax	68	12	Rochester	66	16
Hanover	299	83	Rockland	748	739
Hanson	192	64	Scituate	371	153
Hingham	865	352	Wareham	443	191
Hull	246	295	West Bridgewater	280	96
Kingston	232	93	Whitman	958	602
Lakeville	65	29			
Marion	152	33	Total	16,362	9,258
Marshfield	289	54			

County of Suffolk.

Cities and Towns.	Yes.	No.	Cities and Towns.	Yes.	No.
BOSTON	66,686	71,777	Winthrop	3,018	1,047
CHELSEA	2,462	2,811	Total	74,447	78,596
REVERE	2,281	2,961			

County of Worcester.

Ashburnham	175	70	North Brookfield	394	173
Athol	934	425	Northborough	353	95
Auburn	401	276	Northbridge	898	818
Barre	346	116	Oakham	75	29
Berlin	210	38	Oxford	354	232
Blackstone	204	462	Paxton	59	15
Bolton	141	17	Petersham	111	32
Boylston	129	42	Phillipston	44	5
Brookfield	202	48	Princeton	97	10
Charlton	205	77	Royalston	87	19
Clinton	1,326	1,505	Rutland	151	48
Dana	67	48	Shrewsbury	583	150
Douglas	254	121	Southborough	306	105
Dudley	207	295	Southbridge	1,177	1,468
East Brookfield	93	56	Spencer	652	578
FITCHBURG	3,882	3,009	Sterling	245	64
Gardner	1,495	861	Sturbridge	114	82
Grafton	661	356	Sutton	191	80
Hardwick	212	104	Templeton	344	121
Harvard	221	50	Upton	295	84
Holden	383	120	Uxbridge	545	406
Hopedale	482	134	Warren	300	215
Hubbardston	108	22	Webster	874	1,186
Lancaster	267	94	West Boylston	259	52
Leicester	435	367	West Brookfield	146	55
LEOMINSTER	1,954	1,373	Westborough	761	298
Lunenburg	205	26	Westminster	152	36
Mendon	158	41	Winchendon	509	296
Milford	1,035	1,315	WORCESTER	20,086	15,757
Millbury	554	380			
Millville	148	211	Total	47,303	34,635
New Braintree	47	7			

Aggregate of Votes.

Counties.	Yes.	No.	Counties.	Yes.	No.
BARNSTABLE	2,917	1,107	MIDDLESEX	101,678	53,707
BERKSHIRE	11,338	8,912	NANTUCKET	268	97
BRISTOL	25,505	24,686	NORFOLK	32,031	14,190
DUKES COUNTY	622	156	PLYMOUTH	16,362	9,258
ESSEX	47,762	33,502	SUFFOLK	74,447	78,596
FRANKLIN	4,762	2,011	WORCESTER	47,303	34,635
HAMPDEN	24,345	17,192			
HAMPSHIRE	7,283	3,962	TOTAL	396,623	282,011

APPENDIX

The following tables and the index to the Acts and Resolves of the current year have been prepared by WILLIAM E. DORMAN, Esq., and HENRY D. WIGGIN, Esq., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws.

TABLES

SHOWING

WHAT GENERAL LAWS OF THE COMMONWEALTH HAVE BEEN AFFECTED BY SUBSEQUENT LEGISLATION

I

CHANGES IN THE "GENERAL LAWS"

Chapter 1. — Jurisdiction of the Commonwealth and of the United States.

"Camp Devens" ceded to the United States, 1921, 456.

Consent to the acquisition by the United States of land and buildings in Rutland, 1922, 409.

Chapter 3. — The General Court.

Purchase and distribution of ancient journals of House of Representatives, 1920, 413; 1921, 170; 1922, 164.

For salaries of the present clerk and assistant clerk of the Senate, see 1922, 271.

Legislative supplies, etc., not required to be purchased through central purchasing agency, 1922, 545 §§ 10-12; 1923, 362 § 1 subsect. 22, § 52.

SECT. 6 amended, 1923, 51.

SECT. 9 amended, 1921, 498 § 1.

SECT. 18 amended, 1921, 367 § 1; revised, 1922, 366 § 1; 1923, 400 § 1. (See 1921, 384).

SECT. 19 amended, 1923, 228.

SECT. 20 amended, 1921, 498 § 2; 1922, 8; 1923, 229 § 1.

SECT. 24 revised, 1921, 486 § 41.

SECT. 35 amended, 1921, 343; 1923, 362 § 2.

SECT. 37 amended, 1923, 362 § 3.

SECT. 38 amended, 1923, 362 § 4.

SECT. 50 amended, 1922, 210.

SECT. 51 amended, 1922, 197.

SECT. 53 amended, 1922, 24 § 1.

Chapter 4. — Statutes.

SECT. 7, cl. Fourth repealed, 1921, 486 § 1. Cl. Seventh. See 1921, 430 § 1, changing title of police courts to district courts.

SECT. 7A added, 1922, 151 (relative to the filing and recording in the office of the State Secretary of certain certificates, articles and affidavits).

SECT. 10 amended, 1921, 145.

Chapter 5. — Printing and Distribution of Laws and Public Documents.

As to the preparation and sale of the General Laws in a special form, see 1922, Resolve 42.

As to state printing, see 1922, Resolve 48; 1923, 493.

SECT. 1 revised, 1923, 362 § 5; amended 1923, 493.

SECT. 3 amended, 1922, 198 § 1.

SECT. 4 amended, 1922, 198 § 2.

SECT. 6 amended, 1923, 362 § 6. (See 1922, 545 §§ 1, 4, 17.)

SECT. 8 amended, 1923, 362 § 7. (See 1922, 545 §§ 1, 4, 17.)

SECT. 11 revised, 1922, 319.

Chapter 6. — The Governor, Lieutenant Governor and Council, Certain Officers under the Governor and Council, and State Library.

Special Commission on the Necessaries of Life, 1921, 325; 1922, 343; 1923, 320.

Commission on Administration and Finance to serve under Governor and Council, 1922, 545 § 2; 1923, 362 § 1 subsect. 2.

Provision for an investigation relative to the construction of a new building for the Supreme Judicial Court, the Archives' Division of the State Secretary's Department and the State Library, see 1923, Resolve 57.

SECT. 8 amended, 1923, 362 § 8.

SECT. 12A added, 1923, 210 (relative to the observance of Armistice Day).

SECT. 17. See 1922, 545 § 2; 1923, 362 § 1 subsect. 2.

SECT. 20 revised, 1922, 298.

SECT. 22 amended, 1923, 368 § 1.

SECT. 25 amended, 1922, 191.

SECT. 36 revised, 1922, 15.

SECT. 37A added, 1923, 376 § 1 (authorizing the trustees of the State Library to receive money and securities in trust for State Library purposes, to be administered by the State Treasurer).

Chapter 7. — Commission on Administration and Finance (former title, Supervisor of Administration).

Chapter 7, as amended by 1921, 298, repealed and superseded by 1923, 362 § 1 (chapter 7, Commission on Administration and Finance).

Office of Supervisor of Administration abolished and his rights, powers, duties and obligations transferred to Commission on Administration and Finance, see 1922, 545.

SECTS. 6, 7. See 1922, 545 §§ 9-13; 1923, 362 § 1 subsect. 22, §§ 52, 92.

SECT. 7 amended, 1921, 298; repealed by 1923, 362 § 1.

SECTS. 8-15. See 1922, 545 §§ 1, 4, 17; 1923, 362 § 1 subsects. 7-12, 29, 30.

SECT. 16. See 1922, 545 § 20; 1923, 362 § 1 subsects. 33-35.

Chapter 8. — Superintendent of Buildings, and State House.

SECTS. 3, 6, 8, 11. Rights, powers, duties and obligations of Superintendent of Buildings relative to purchasing and storeroom functions transferred to Commission on Administration and Finance, see 1922, 545 §§ 1, 9.

SECT. 3 repealed, 1923, 362 § 9.

SECT. 5 amended, 1922, 234.

SECT. 6 amended, 1923, 362 § 10.

SECT. 8 repealed, 1923, 362 § 9.

SECT. 11 amended, 1923, 362 § 11.

SECT. 12 amended, 1921, 256.

SECT. 17 revised, 1921, 459 § 1; 1923, 225 § 1.

SECT. 18 revised, 1921, 459 § 2; amended, 1923, 225 § 2.

SECT. 19A added, 1922, 320 (procuring of portraits and other suitable memorials of former Governors).

SECT. 21 added, 1922, 146 (regulating the establishment of permanent memorials in the State House).

Chapter 9. — Department of the State Secretary.

For salary of the present second deputy in the office of the State Secretary, see 1922, 372.

Provision for an investigation relative to the construction of a new building for the Supreme Judicial Court, the Archives' Division of the State Secretary's Department and the State Library, see 1923, Resolve 57.

SECT. 2 revised, 1922, 370 § 1.

SECT. 6 amended,* 1922, 427 § 3.

SECT. 10 amended, 1922, 375.

SECT. 14 repealed, 1923, 362 § 12. (See 1923, 362 § 1 subsect. 27). Rights, powers, duties and obligations of the State Secretary relative to the purchase of paper transferred to Commission on Administration and Finance, see 1922, 545 §§ 1, 9-12; 1923, 362 § 1 subsect. 22, § 52.

SECT. 17 amended,* 1922, 427 § 4.

SECT. 18 repealed, 1923, 146 § 1.

Chapter 10. — Department of the State Treasurer.

For salaries of the present deputies in the office of the State Treasurer, see 1922, 323.

Rights, powers, duties and obligations of the State Treasurer relative to bookkeeping and accounting functions not necessarily connected with the cash and funds which he handles transferred to Commission on Administration and Finance, see 1922, 545 §§ 1, 5.

SECT. 5. See 1922, 545 § 22.

SECT. 16 revised, 1923, 301 § 2, 376 § 2.

Chapter 11. — Department of the State Auditor.

Rights, powers, duties and obligations of the State Auditor, except such as relate to the auditing of accounts of all offices of the commonwealth and to the keeping of reports of such audits, transferred to Commission on Administration and Finance, see 1922, 545 §§ 1, 5, 27, 29; 1923, 362 § 1 subsects. 13-15, 17-19, §§ 13, 16.

* Rejected on referendum.

SECT. 3 repealed, 1923, 362 § 13. Office of second deputy abolished, see 1922, 545 § 27.

SECT. 4 repealed, 1923, 362 § 13. Offices of supervisor of accounts and assistant supervisor of accounts abolished, see 1922, 545 § 27.

SECT. 5 amended, 1923, 362 § 14.

SECT. 6 revised, 1923, 362 § 15. (See 1922, 545 §§ 22, 27.)

SECTS. 7-11 repealed, 1923, 362 § 13. (See 1922, 545 §§ 1, 5.)

SECT. 10. See 1922, 358.

SECT. 12 revised, 1923, 362 § 16. (See 1922, 545 § 27.)

SECTS. 13-15 repealed, 1923, 362 § 13. (See 1922, 545 § 20.)

Chapter 12. — Department of the Attorney General, and the District Attorneys.

SECT. 1 amended, 1923, 117.

SECT. 12 amended, 1922, 459.

SECT. 14 amended, 1922, 304 § 1; 1923, 211 § 1.

SECT. 15 revised, 1923, 398 § 1.

SECT. 16 amended, 1922, 304 § 2; revised, 1923, 211 § 2, 398 § 2.

SECT. 17 amended, 1922, 304 § 3, 333 § 1; 1923, 362 § 17, repealed, 1923, 398 § 3.

SECT. 18 amended, 1922, 334.

SECT. 19 amended, 1921, 235.

Chapter 13. — Department of Civil Service and Registration.

SECT. 9 amended, 1921, 426.

SECT. 25 amended, 1922, 441.

SECTS. 33-35 added, 1923, 470 § 1 (relative to the board of registration of certified public accountants).

Chapter 14. — Department of Corporations and Taxation.

SECT. 2 amended, 1922, 520 § 1.

SECT. 4 amended, 1921, 486 § 2; 1922, 330.

SECT. 5 amended, 1922, 21.

Chapter 15. — Department of Education.

SECT. 2 amended, 1921, 442.

SECT. 6A added, 1921, 462 § 2 (state board for vocational education established).

SECT. 11 amended, 1922, 121.

SECT. 12 amended, 1921, 449 § 1.

Chapter 16. — Department of Public Works.

SECT. 6 amended, 1922, 534 § 2.

Chapter 17. — Department of Public Health.

SECT. 8. See 1921, Resolve 30 (authorizing the sale and conveyance of Penikese Island and the buildings thereon).

SECT. 10 amended, 1922, 481.

Chapter 19. — Department of Mental Diseases.

SECT. 2 amended, 1921, 443.

SECT. 4A added, 1922, 519 § 1 (establishing a division of mental hygiene in the Department of Mental Diseases).

SECT. 5 amended, 1922, 410 § 2.

SECT. 6 amended, 1921, 449 § 2; 1922, 410 § 3.

Chapter 21. — Department of Conservation.

SECT. 2 amended, 1923, 369 § 1.

SECT. 7 amended, 1923, 144.

Chapter 22. — Department of Public Safety.

SECT. 2 amended, 1923, 330.

SECT. 8 revised, 1922, 9.

SECT. 9A added, 1921, 461 (additional appointments in the division of state police, "state constabulary," so called); amended, 1922, 331 § 1.

SECT. 13 added,* 1921, 438 § 1 (provision for deputy director of moving picture censorship).

Chapter 23. — Department of Labor and Industries.

SECT. 1 amended, 1921, 306 § 1.

SECT. 3 amended, 1921, 306 § 2.

SECT. 4 amended, 1921, 306 § 3; 1922, 196.

SECT. 5 amended, 1921, 306 § 4.

Chapter 24. — Department of Industrial Accidents.

SECT. 2 amended, 1922, 537 § 1; 1923, 477 § 1.

SECT. 3 revised, 1923, 151.

SECT. 4 amended, 1923, 477 § 2.

SECT. 8 repealed, 1921, 462 § 8.

SECT. 9 repealed, 1921, 462 § 8.

Chapter 25. — Department of Public Utilities.

SECT. 5A added, 1922, 259 § 1 (authorizing the Department of Public Utilities to summon witnesses and take testimony); amended, 1923, 362 § 18.

SECT. 6 repealed, 1923, 227.

Chapter 26. — Department of Banking and Insurance.

SECT. 3 amended, 1922, 513.

Chapter 27. — Department of Correction.

SECT. 4 revised, 1923, 231 § 1.

SECT. 5 amended, 1921, 312.

* Rejected on referendum.

Chapter 28. — Metropolitan District Commission.

SECT. 2 amended, 1923, 427.

SECT. 5 added, 1922, 406 (authorizing the appointment of a superintendent of police), made a special law instead of an amendment to the General Laws by 1923, 399 § 3.

SECTS. 5-6 added, 1923, 399 § 1 (establishing the division of metropolitan planning within the metropolitan district commission).

Chapter 29. — State Finance.

Establishment of Commission on Administration and Finance, see 1922, 545; 1923, 362.

SECT. 1 amended, 1923, 362 § 19.

SECT. 3 amended, 1923, 300. (See 1922, 545 §§ 1, 5-8.)

SECT. 4 amended, 1923, 362 § 20. (See 1922, 545 §§ 1, 6-8.)

SECT. 5 amended, 1923, 362 § 21. (See 1922, 545 §§ 1, 5, 6.)

SECT. 5A added, 1923, 362 § 22 (requiring departments, offices and commissions to submit with budget estimates forecasts of probable annual construction expenditures). (See 1922, 545 § 7.)

SECT. 6 amended, 1923, 362 § 23. (See 1922, 545 §§ 1, 6-8.)

SECTS. 7-9. See 1922, 545 §§ 1, 6-8.

SECT. 10. See 1922, 545 § 28.

SECT. 18 amended, 1923, 362 § 24. (See 1922, 545 §§ 1, 5.)

SECT. 20 amended, 1923, 362 § 25. (See 1922, 545 §§ 1, 5.)

SECT. 23 revised, 1921, 342; amended, 1923, 362 § 26. (See 1922, 545 §§ 1, 5.)

SECT. 24 amended, 1923, 362 § 27. (See 1922, 545 §§ 1, 5.)

SECT. 25 amended, 1923, 362 § 28. (See 1922, 545 §§ 1, 5.)

SECT. 26 amended, 1923, 362 § 29. (See 1922, 545 §§ 1, 5.)

SECT. 27 amended, 1923, 387.

SECT. 29 amended, 1923, 362 § 30. (See 1922, 545 §§ 1, 5.)

SECT. 33 amended, 1923, 362 § 31. (See 1922, 545 §§ 1, 5.)

SECT. 34 amended, 1922, 10.

SECT. 48 amended, 1923, 362 § 32. (See 1922, 545 §§ 1, 5.)

SECT. 50 amended, 1923, 362 § 33. (See 1922, 545 §§ 1, 5.)

SECT. 56 amended, 1923, 362 § 34. (See 1922, 545 §§ 1, 5.)

SECT. 58 amended, 1923, 362 § 35. (See 1922, 545 §§ 1, 5.)

SECT. 61 amended, 1923, 362 § 36. (See 1922, 545 §§ 1, 5.)

Chapter 30. — General Provisions relative to State Departments, Commissions, Officers and Employees.

Establishment of Commission on Administration and Finance and provision for a central purchasing agency, see 1922, 545; 1923, 362.

SECT. 1 amended, 1923, 362 § 37.

SECT. 6 revised, 1921, 275.

SECT. 7 revised, 1923, 362 § 38.

SECT. 7A added, 1921, 449 § 3 (rendering women eligible to hold state office); amended, 1922, 371 § 1.

SECT. 15 amended, 1923, 362 § 39. (See 1922, 545 §§ 1, 5.)

SECT. 25 amended, 1923, 362 § 40.

SECT. 27 revised, 1921, 225; amended, 1923, 362 § 41.

SECT. 30A added, 1923, 362 § 42 (relative to a uniform style of letter-head for executive and administrative officers, departments and institutions). (See G. L. S, § 8.)

SECT. 33 amended, 1922, 24 § 2; 1923, 362 § 43. (See 1922, 545 §§ 1, 6.)

SECT. 35 amended, 1923, 362 § 44. (See 1922, 545 §§ 1, 4, 17.)

SECT. 36 revised, 1923, 362 § 45. (See 1922, 545 §§ 1, 9-13.)

SECT. 38 amended, 1923, 362 § 46. (See 1922, 545 §§ 1, 4, 17.)

SECT. 39 amended, 1922, 416.

SECT. 42 amended, 1923, 362 § 47. (See 1922, 358, 545 §§ 1, 9-13.)

SECT. 45 amended, 1923, 362 § 48. (See 1922, 545 §§ 1, 4, 17.)

SECT. 46 amended, 1923, 362 § 49. (See 1922, 545 §§ 1, 4, 17.)

SECT. 47 revised, 1923, 362 § 50. (See 1922, 545 §§ 1, 4, 17.)

SECT. 48. See 1922, 545 §§ 1, 4, 17.

SECT. 49 amended, 1923, 362 § 51. (See 1922, 545 §§ 1, 4, 17.)

SECT. 50. See 1922, 545 §§ 1, 4, 17.

SECTS. 51-52 added, 1923, 362 § 52 (relative to the purchase of certain materials, supplies and other property by executive and administrative departments of the commonwealth).

Chapter 31. — Civil Service.

SECT. 5 amended, 1923, 130.

SECT. 17 amended, 1922, 36.

SECT. 23 revised, 1922, 463.

SECT. 31 revised, 1922, 31.

SECTS. 42A-42B added, 1923, 242 § 1 (changing the civil service laws relative to certain police officers in certain cities and towns).

SECT. 44 repealed, 1923, 242 § 2.

Chapter 32. — Retirement Systems and Pensions.

As to retirement allowances based on annuity and pension contributions for employees of the city of Boston or of the County of Suffolk, see 1922, 521. As to salaries and retirement allowances of the present justices of the supreme judicial court, see 1923, 375.

Provision for a special commission to investigate the subject of old age and other pensions, see 1923, Resolve 43.

Provision for an investigation as to contributory pensions for certain veterans in public employment and as to exemption therefrom, see 1923, Resolve 59.

SECT. 1 amended, 1922, 341 § 1.

SECT. 2, par. (3) amended, 1921, 439 § 1; par. (9) revised, 1921, 487 § 4; par. (10) added, 1921, 487 § 5.

SECT. 3, par. (4) amended, 1922, 341 § 2.

SECT. 4, (2) *B*, par. (c) added, 1921, 487 § 6.

SECT. 5 (par. included within lines 78-83) revised, 1922, 341 § 3; par. (2) *E* amended, 1922, 341 § 4, revised, 1923, 205 § 2; par. (2) *B* (b) revised, 1923, 205 § 1.

SECT. 10 extended, 1921, 460.

SECT. 11, par. (1) amended, 1923, 381 § 1.

SECT. 16, par. (1) amended, 1922, 521 § 33.

SECT. 18 revised, 1923, 381 § 2.

SECTS. 20-25 affected, 1921, 413; 1923, 479 § 3.

SECT. 25, par. (2) *C* (a) amended, 1921, 480; par. (2) *B* (b) revised, 1923, 190 § 1; par. (2) *E* revised, 1923, 190 § 2.

SECT. 46 amended, 1921, 402.

SECT. 49 amended, 1921, 279.

SECTS. 49-60. See 1922, 521 § 32.

SECT. 56 amended, 1922, 261.

SECT. 57 amended, 1923, 386.

SECT. 61 amended, 1921, 486 § 3. (See 1923, 375.)

SECT. 62. See 1923, 375.

SECT. 63 amended, 1921, 486 § 4, 487 § 7.

SECT. 65 revised, 1921, 413; 1923, 479 § 3.

SECT. 66 amended 1923, 407 § 3.

SECT. 68 revised, 1921, 487 § 1.

SECT. 69 revised, 1921, 487 § 2.

SECT. 71 amended, 1921, 487 § 3.

SECT. 74 revised, 1921, 487 § 8; affected, 1922, 266.

SECT. 77, par. (b) amended, 1923, 458 § 1. (See 1923, 458 § 2.)

SECT. 80 amended, 1921, 337 § 1.

SECT. 85A added, 1921, 337 § 2 (relative to retirement of members of fire departments in towns).

SECT. 87 amended, 1923, 178.

Chapter 33. — Militia.

For a complete list of temporary war legislation prior to 1921, see Table of Changes for 1920 under chapter 16 of the Revised Laws, superseded by chapter 33 of the General Laws.

See also 1921, 38, authorizing counties to pay their employees who served in the world war the difference between their military and county compensation.

State pay and "bonus" for war service, 1917, 211, 332; 1918, 92; 1919, 283; 1920, 51, 250, 609; 1922, 457. 1921, 326 and 1922, 240, extending time for filing applications for payments to November 30, 1921, and further to November 30, 1923. 1921, 354, entitling student nurses of medical department of United States army during world war to receive the "bonus."

Commission to ascertain the most appropriate methods of caring for the graves of American dead in foreign soil, revived and continued, 1921, 448; 1922, 455; 1923, Resolve 73.

Military supplies, etc., not required to be purchased through central purchasing agency, see 1922, 545 §§ 10-12; 1923, 362 § 1 subsect. 22, § 52.

The purchase of certain historical works relative to the service of Massachusetts men in the army or navy during the civil, Spanish or world war authorized, 1923, 193.

Establishment of an unpaid special commission to provide for the preparation of a suitable history of Massachusetts' part in the World War, see 1923, 408.

SECT. 6 revised, 1922, 152.

SECT. 28 revised, 1921, 359 § 1.

SECT. 30 amended, 1921, 276.

SECT. 35A added, 1923, 459 § 10 (relative to the assessment upon cities and towns for the expense of certain services performed by the land or naval forces of the commonwealth).

- SECT. 52, subsect. (a) amended, 1922, 344.
SECT. 64 amended, 1923, 101.
SECT. 72 amended, 1923, 413 § 2.
SECT. 86, subsect. (a) revised, 1921, 359 § 2; subsect. (b) revised, 1923, 459 § 1.
SECT. 100 revised, 1923, 459 § 2.
SECT. 145, subsect. (a) revised, 1923, 459 § 3.
SECT. 146 revised, 1923, 459 § 4.
SECT. 151, subsect. (a) revised, 1923, 459 § 5.
SECT. 152, par. (c) added, 1923, 459 § 6 (relative to investigations as to claims for injury to private property by members of the volunteer militia).
SECT. 154, subsect. (a) revised, 1921, 359 § 3.
SECT. 157, paragraphs (b) and (c) repealed, 1922, 445 § 1; par. (a) revised, 1923, 459 § 7.
SECT. 160 amended, 1922, 445 § 2; revised, 1923, 459 § 8.
SECT. 161 revised, 1923, 459 § 9.
SECT. 176, subsect. (a) revised, 1923, 459 § 11.

Chapter 34. — Counties and County Commissioners.

Counties authorized to pay their employees who served in the world war the difference between their military and county compensation, 1921, 38.

SECT. 3A added, 1921, 449 § 4 (rendering women eligible to county offices); amended, 1922, 371 § 2.

SECTS. 9A-9E added, 1922, 123 (defining the records of county commissioners).

SECT. 11 amended, 1922, 423 § 3.

SECT. 17 revised, 1922, 383.

Chapter 35. — County Treasurers, State Supervision of County Accounts, and County Finances.

Counties authorized to pay their employees who served in the world war the difference between their military and county compensation, 1921, 38.

SECT. 6 revised, 1921, 300.

SECT. 26 amended, 1923, 334 § 1.

SECT. 28 amended, 1921, 336.

SECT. 30 amended, 1922, 127.

SECT. 37A added, 1922, 122 (relative to the borrowing of money by counties and to the use of proceeds and premiums).

SECT. 38 amended, 1923, 428.

SECT. 39 amended, 1921, 22.

SECTS. 44-47. See 1921, 486 § 2.

Chapter 36. — Registers of Deeds.

SECT. 31A added, 1921, 207 (registers of deeds to notify Commissioner of Corporations and Taxation of the recording of certain deeds and declarations of trust).

SECT. 33. See 1921, 422.

SECT. 34 revised, 1921, 422.

SECT. 36 revised, 1922, 301.

Chapter 38. — Medical Examiners.

SECT. 5 amended, 1923, 439 § 1.

SECT. 11 amended, 1923, 362 § 53.

Chapter 39. — Municipal Government

SECT. 13 amended, 1921, 486 § 5.

SECT. 16 revised, 1923, 388.

SECT. 19 repealed,* 1922, 427 § 5.

SECT. 20 amended,* 1922, 427 § 6.

SECT. 23 amended,* 1922, 427 § 7.

Chapter 40. — Powers and Duties of Cities and Towns.

SECT. 5, cl. (12) revised, 1921, 486 § 6; 1923, 202, 401; cl. (21) revised, 1921, 371 § 1; cl. (21A) added, 1921, 371 § 2 (authorizing towns to appropriate money for purchase, etc., of ambulances).

SECT. 9 amended, 1921, 80; revised, 1923, 122. (See 1921, 169, authorizing city of Boston to utilize schoolhouse property to provide quarters for organizations of war veterans.)

SECT. 9A added, 1921, 227 (authorizing cities and towns to provide quarters for camps of the United Spanish War Veterans).

SECT. 11 amended, 1921, 252.

SECT. 13A added, 1923, 234 (authorizing cities and towns to establish insurance funds to pay workmen's compensation).

SECT. 14 amended, 1921, 486 § 7; 1923, 266.

SECT. 30 amended, 1922, 40.

SECTS. 42A-42F added, 1923, 391 (relative to the collection of water rates).

Chapter 41. — Officers and Employees of Cities, Towns and Districts.

SECT. 1 amended, 1923, 66. See 1921, 65, rendering women eligible to elective municipal office in Boston.

SECT. 5 amended,* 1922, 427 § 8.

SECT. 15A added, 1922, 86 (relative to the certification of appropriation orders by city and town clerks); amended, 1923, 17.

SECT. 21 amended, 1921, 130.

SECT. 24A added, 1921, 208 (election or appointment of assistant assessors in cities).

SECT. 25A added, 1921, 14 (authorizing assessors in towns to appoint assistant assessors).

SECT. 34A added, 1923, 26 (relative to changing the name of the overseers of the poor in certain cities and towns to the board of public welfare).

SECT. 54A added, 1922, 135 (requiring annual notification to the assessors by certain city and town officials of receipts of the preceding year).

SECT. 55 amended, 1921, 486 § 8.

SECT. 56 amended, 1922, 84.

SECT. 76 amended, 1922, 297.

SECT. 77 amended, 1921, 486 § 9.

SECT. 111 amended, 1921, 486 § 10; 1923, 346.

* Rejected on referendum.

Chapter 42. — Boundaries of Cities and Towns.

Boundary line between Carver and Middleborough established, 1921, 82.
SECT. 10 revised, 1923, 103.

Chapter 43. — City Charters.

Provision for a special commission to revise the charter of the city of Boston, see 1923, Resolve 54.

SECT. 1 (last paragraph) amended, 1922, 237 § 1.

SECT. 8 amended, 1922, 237 § 2.

SECT. 15 revised, 1922, 237 § 3.

SECT. 17 amended, 1922, 237 § 4.

SECT. 31 amended, 1922, 237 § 5.

SECT. 36 revised, 1922, 237 § 6.

SECT. 40 amended, 1922, 237 § 7.

SECTS. 44A-44H added, 1922, 282 § 1 (providing for the nomination at preliminary elections of candidates for elective municipal office in cities governed under a standard form of city charter).

SECT. 45 amended, 1922, 282 § 2.

SECT. 50 amended, 1922, 237 § 8.

SECT. 59 revised, 1922, 237 § 9.

SECT. 62 amended, 1923, 232.

SECT. 68 revised, 1922, 237 § 10.

SECT. 82 revised, 1922, 237 § 11.

Chapter 44. — Municipal Finance.

As to municipal indebtedness of the city of Boston, see 1909, 486 § 26; 1910, 437; 1911, 165; 1918, Sp. Acts 52.

Relative to the maintenance and operation of municipal light plants, 1922, 184.

SECT. 5A added, 1922, 28 (authorizing cities to borrow money to meet expenditures by city officials in anticipation of appropriations); revised, 1923, 359 § 1.

SECT. 6A added, 1921, 366 (authorizing towns to borrow money for highway purposes in anticipation of state or county reimbursement).

SECT. 7 amended, 1923, 338.

SECT. 8, cl. (5) amended, 1921, 486 § 11; cls. (3a) and (3b) added, 1923, 303 § 1 (authorizing cities and towns to incur debt outside the debt limit for certain purposes).

SECT. 17 amended, 1923, 303 § 2.

SECT. 18 amended, 1923, 303 § 3.

SECT. 19 amended, 1923, 359 § 2. As to Boston, see 1909, 486 § 26; 1910, 437; 1911, 165.

SECT. 22. As to rate of interest on securities issued by city of Boston, see 1918, Sp. Acts 52.

SECT. 24A added, 1921, 294 (relative to the form of notes issued by towns and districts).

SECT. 29. As to tax limit of city of Boston, see 1909, 490 I § 53; 1910, 521; 1913, 719 § 18; 1915, Sp. Acts 184 § 2, 304; 1916, Sp. Acts 267; 1918, Sp. Acts 120, 132 § 3; 1919, Sp. Acts 172, 206 § 10; 1920, 401, 524, 641 § 5; 1922, 205; 1923, 223.

SECT. 33A added, 1922, 250 (providing that the financial budgets of cities shall include provision for the salaries of officials).

SECT. 34. See 1922, 28.

SECTS. 35, 36. The question of the installation by the commonwealth of a municipal accounting system required to be submitted to certain cities and towns, see 1922, 516.

SECT. 47. As to Boston, see 1909, 486 § 26; 1910, 437; 1911, 165.

SECT. 50 repealed, 1921, 486 § 12.

SECT. 55 amended, 1921, 486 § 13.

SECT. 62 added, 1922, 253 (providing penalties for violation of the laws relative to municipal finance).

SECT. 63 added, 1923, 303 § 4 (requiring cities and towns to use the proceeds of the sale of real estate for certain purposes in certain cases).

Chapter 48. — Fires, Fire Departments and Fire Districts.

SECT. 8 amended, 1921, 274.

SECT. 13 amended, 1922, 515.

SECT. 20A added, 1922, 252 (relative to the operation of portable saw-mills).

SECT. 24 amended, 1923, 214.

SECT. 36 amended, 1923, 109.

SECT. 83 amended, 1923, 362 § 54.

Chapter 50. — General Provisions relative to Primaries, Caucuses and Elections.

SECT. 1 amended, 1923, 131 § 3.

Chapter 51. — Voters.

Board of election commissioners and registration of voters in Boston, 1913, 835 §§ 76-87; 1915, 48, 91 § 7; 1917, 29 § 12; 1919, 269 §§ 1, 6, 7; 1920, 142; 1921, 93, 114 § 5.

For listing of voters in Boston, see 1917, 29; 1920, 145; 1921, 114; in Chelsea, 1917, 106; 1921, 84; in Cambridge, 1918, 282; 1921, 84; in Watertown, 1919, 108; 1921, 84; in Lowell, 1923, 131.

Election commission and registration of voters in Lowell, 1920, 154; 1921, 115.

SECT. 1 amended, 1922, 305.

SECT. 4 amended, 1923, 131 § 4.

SECT. 5 amended, 1923, 131 § 5.

SECT. 6 revised, 1923, 131 § 6.

SECT. 7 amended, 1923, 131 § 7.

SECT. 8 amended, 1923, 131 § 8.

SECT. 9 amended, 1923, 131 § 9.

SECT. 11 amended, 1923, 131 § 10.

SECT. 15 revised, 1921, 102 § 1.

SECT. 16 revised, 1921, 102 § 2.

SECT. 22 amended, 1921, 156.

SECT. 35 amended, 1923, 131 § 11.

SECT. 36 amended, 1921, 209 § 1.

SECT. 37 amended, 1921, 209 § 2; 1923, 131 § 12.

SECT. 39 amended, 1923, 131 § 13.

SECT. 42 amended, 1923, 131 § 14.

SECT. 43 amended, 1923, 131 § 15.

SECT. 44 amended, 1922, 166.

SECT. 55 amended, 1921, 209 § 3.

SECT. 57 amended, 1923, 238 § 1.

SECT. 59 amended, 1922, 189.

SECT. 61 revised, 1921, 209 § 4.

Chapter 53. — Nominations, Questions to be submitted to the Voters, Primaries and Caucuses.

SECT. 7 amended, 1922, 214 § 1; 1923, 124.

SECT. 10 amended, 1921, 387.

SECT. 11. See 1909, 486 § 56; 1914, 730 § 6; 1921, 288 § 2, as to time of filing objections to nomination papers of candidates for municipal office in Boston.

SECT. 13. See 1909, 486 § 56; 1914, 730 § 6; 1921, 288 § 2, as to time of withdrawal of nominations to municipal office in Boston.

SECT. 34 amended, 1923, 302 § 1.

SECT. 35 amended, 1923, 302 § 2.

SECT. 46 amended, 1922, 214 § 2.

SECT. 59. See 1921, 65, enabling women to sign nomination papers for candidates for municipal office in Boston.

SECT. 61 amended, 1922, 214 § 3. See 1909, 486 § 56; 1914, 730 § 6; 1921, 288 § 2, as to certificates, etc., of nomination papers of candidates for municipal office in Boston.

SECT. 117 amended, 1923, 186.

Chapter 54. — Elections.

SECT. 2 amended, 1921, 220 § 1. (See 1913, 835 § 217; 1918, 74; 1920, 636, as to division of city of Boston into voting precincts.)

SECT. 11 amended, 1923, 204 § 1.

SECT. 13 amended, 1923, 204 § 2.

SECT. 14 revised, 1923, 204 § 3.

SECT. 58. See 1909, 486 § 54; 1914, 730 § 5; 1921, 340, as to time for issuance of nomination papers for elective offices in Boston.

SECT. 63. See 1909, 486 § 32; 1914, 730 § 1; 1921, 288 § 1, as to date of municipal election in Boston.

SECT. 64 amended,* 1922, 427 § 9.

SECT. 104 amended,* 1922, 427 § 10.

SECT. 105 amended, 1921, 209 § 5.

SECT. 132 amended, 1921, 209 § 6.

SECT. 133 amended, 1921, 209 § 7.

SECT. 139 revised, 1922, 57.

SECT. 141 amended, 1922, 142.

SECT. 154. See 1922, 459.

Chapter 55. — Corrupt Practices and Election Inquests.

SECT. 1 revised, 1923, 110.

SECT. 33A added, 1923, 98 § 1 (relative to the use of the names of political parties).

* Rejected on referendum.

SECT. 34A added, 1922, 269 § 1 (making of false statements in relation to candidates for nomination or election to public office prohibited).

SECT. 36 amended, 1922, 269 § 2.

Chapter 56. — Violations of Election Laws.

SECT. 2 amended, 1921, 114 § 6; 1923, 131 § 16.

SECT. 4 amended, 1923, 131 § 17.

SECT. 5 amended, 1921, 114 § 7; 1923, 131 § 18.

SECT. 6 amended, 1921, 114 § 8; 1923, 131 § 19.

SECT. 7 amended, 1921, 486 § 14; 1923, 131 § 20.

SECT. 8 amended, 1923, 131 § 21.

SECT. 13 revised, 1923, 183.

SECT. 62A added, 1923, 98 § 2 (penalizing members of organizations for illegal use of names of political parties).

SECT. 64A added, 1922, 269 § 3 (penalty for making false statements in relation to candidates for nomination or election to public office).

Chapter 58. — General Provisions relative to Taxation.

SECT. 8 amended, 1922, 34; 1923, 283.

SECT. 9 amended, 1921, 379 § 1.

SECT. 10 amended, 1921, 379 § 2.

SECT. 10A added, 1921, 375 § 2 (allowance as offset to amounts due state from cities and towns of percentage of corporation taxes to be distributed).

SECT. 13 amended, 1921, 486 § 15; revised, 1923, 271 § 1. (See 1922, 54 § 1.)

SECTS. 13-17 extended, 1921, 344 § 4.

SECT. 14 revised, 1923, 271 § 2.

SECT. 15 amended, 1921, 282; revised, 1923, 271 § 3.

SECT. 17 amended, 1922, 54 § 1.

SECT. 17A added, 1923, 271 § 4 (relative to the taxation of land held for county tuberculosis hospitals).

SECT. 18 amended, 1922, 54 § 2. (See 1922, 194.)

SECT. 20 revised, 1922, 362 § 1.

SECTS. 20-24A. See 1921, 375 § 2; 1922, 362 § 2.

SECT. 24A added, 1921, 375 § 1 (distribution to cities and towns of interest on corporation taxes).

SECT. 25 amended, 1921, 375 § 3; revised, 1922, 362 § 2.

SECT. 27 revised, 1922, 382.

Chapter 59. — Assessment of Local Taxes.

As to local tax limit generally, see Chap. 44 § 29.

As to Boston, see 1909, 490 I § 53; 1910, 521; 1913, 719 § 18; 1915, Sp. Acts 184 § 2, 304; 1916, Sp. Acts 267; 1918, Sp. Acts 120, 132 § 3; 1919, Sp. Acts 172, 206 § 10; 1920, 401, 524, 641 § 5; 1922, 205; 1923, 223.

As to taxation of lands and buildings of the city of Boston leased for business purposes, see 1922, 390.

Collection of certain taxes assessed under authority of special law transferred to the commissioner of corporations and taxation, see 1923, 133.

Provision for an investigation of the advisability of providing a limitation of exemptions from local taxation of certain property, see 1923, Resolve 58.

SECT. 1. For the poll tax payable prior to 1924, including the additional "war poll tax," so called, see 1919, 283 §§ 10-15. (See 1921, 226, repealing certain provisions relative to poll taxes. See 1922, 260, relative to abatements of poll taxes for certain veterans. See 1922, 398, exempting certain veterans of the world war from the payment of additional poll taxes.)

SECT. 5, cl. Second amended, 1921, 389; 1922, 216; cl. Third, subsect. (c) amended, 1922, 451 § 1; cl. Fifth amended, 1921, 474; 1922, 222; cl. Sixteenth amended, 1921, 486 § 16; cl. Thirty-third amended, 1921, 202.

SECT. 8. See 1922, 329.

SECT. 23 amended, 1921, 348.

SECTS. 23A and 23B added, 1922, 118 (requiring assessors to notify the financial officers of cities and towns of amounts to be raised by taxation and from receipts, and of amounts of abatements granted).

SECT. 51 revised, 1923, 421.

SECT. 60 amended, 1923, 18.

Chapter 60. — Collection of Local Taxes.

SECT. 2 amended, 1921, 124.

SECT. 9 revised, 1923, 128 § 1.

SECTS. 10 and 11 repealed, 1923, 128 § 2.

SECT. 12 amended, 1923, 128 § 3.

SECT. 17 revised, 1923, 128 § 4.

SECT. 43 revised, 1923, 377 § 7.

SECT. 97 revised, 1923, 128 § 5.

SECT. 100 amended, 1923, 128 § 6.

Forms 10, 11, 12, 14, 18 in schedule at end of chapter amended, 1923, 377 § 8.

Chapter 61. — Taxation of Forest Products and Classification and Taxation of Forest Lands (former title, Taxation of Forest Lands).

Chapter repealed and superseded by 1922, 360 § 1.

Chapter 62. — Taxation of Incomes.

Extra tax to be assessed in or on account of the year 1924, see 1923, 487 § 6.

SECT. 1, subsect. (a) cl. Fourth amended, 1923, 287 § 1; subsect. (a) cl. First amended, 1923, 378 § 1, subsect. (b) amended, 1923, 487 § 3.

SECT. 2 amended, 1921, 265.

SECT. 5, cl. (c) amended, 1921, 376 § 1; 1922, 449 § 1; cl. (b) amended, 1923, 287 § 2.

SECT. 6, cl. (b) amended, 1922, 329 § 1; cl. (g) amended, 1922, 329 § 2; cl. (h) amended, 1922, 489.

SECT. 33 amended, 1922, 290.

SECT. 34 amended, 1923, 362 § 55.

SECT. 37 amended, 1922, 143.

SECT. 41 amended, 1923, 287 § 3.

SECT. 45 amended, 1922, 339 § 1.

SECT. 47 amended, 1921, 113 § 1; 1923, 287 § 4.

SECT. 48 amended, 1921, 113 § 2.

SECT. 58 amended, 1923, 402 § 1.

Chapter 63. — Taxation of Corporations.

Extra tax to be assessed on certain corporations in or on account of the year 1924, see 1923, 487 § 6.

SECT. 1 revised, 1923, 487 § 1.

SECT. 8 revised, 1923, 378 § 2.

SECTS. 10A and 10B added, 1923, 487 § 2 (relative to the taxation of national bank stock and the distribution of such taxes).

SECT. 11 amended, 1922, 520 § 2; revised 1923, 378 § 3. (See 1922, 239.)

SECT. 12. See 1922, 230.

SECT. 14 amended, 1922, 239.

SECT. 17 amended, 1922, 520 § 3.

SECT. 18 amended, 1922, 520 § 4.

SECT. 28 amended, 1922, 520 § 5; 1923, 378 § 4.

SECT. 29 amended, 1922, 520 § 6; 1923, 378 § 5.

SECT. 30, par. 5 amended, 1922, 302; par. contained in first two lines amended, 1923, 254 § 3; pars. 1 and 2 amended, 1923, 438 § 5.

SECTS. 30-51. See 1922, 362 § 1.

SECT. 32 amended, 1923, 424 § 1. (See 1921, 361.)

SECT. 32A added, 1923, 424 § 2 (relative to a minimum gross receipts excise with respect to certain domestic business corporations).

SECT. 33 revised, 1922, 492 § 1. (See 1922, 492 § 2.)

SECT. 34A added, 1923, 254 § 1 (relative to the taxation of subsidiary companies controlled by domestic business corporations).

SECT. 39 amended, 1923, 424 § 3. (See 1921, 361.)

SECT. 39A added, 1922, 492 § 2 (imposing a minimum tax upon foreign business corporations doing business in this commonwealth).

SECT. 39B added, 1923, 254 § 2 (relative to the taxation of subsidiary companies controlled by foreign corporations).

SECT. 39C added, 1923, 424 § 4 (relative to a minimum gross receipts excise with respect to certain foreign corporations).

SECT. 45 amended, 1922, 520 § 7.

SECT. 48 amended, 1922, 520 § 8.

SECT. 53, cl. Fourth (part) amended, 1922, 49; last par. amended, 1923, 402 § 2.

SECT. 55, cl. Sixth added, 1923, 290 § 3 (certain deductions allowed corporations owning stock of electric companies).

SECT. 56 amended, 1923, 378 § 6. (See 1922, 239.)

SECT. 56A added, 1923, 310 (providing an alternative method of determining the value of corporate franchises of foreign telephone companies).

SECT. 58 revised, 1921, 394.

SECT. 60 amended, 1922, 520 § 9.

SECT. 61. See 1921, 406 § 1; 1923, 452.

SECTS. 62, 65. See 1921, 406, relieving street railway, etc., companies for years 1922 and 1923 from commutation or excise tax; time extended for years 1924-1928, inclusive, see 1923, 452.

SECT. 70 amended, 1922, 520 § 10. (See 1921, 375 § 1.)

SECT. 71 amended, 1921, 123; 1922, 339 § 2.

SECT. 71A added, 1923, 402 § 3 (inspection of returns restricted).

SECT. 72 amended, 1922, 520 § 11; revised 1923, 378 § 7.

SECTS. 72-75. See 1921, 493 § 7.

SECT. 73 amended, 1922, 520 § 12.

SECT. 75 amended, 1922, 520 § 13.

SECT. 76 amended, 1923, 140.

SECT. 77 amended, 1922, 520 § 14.

SECT. 78 amended, 1923, 362 § 56.

Chapter 64A. — Taxation of Sales of Gasoline and Certain Other Motor Vehicle Fuel.

New chapter added 1923, 454.

Chapter 65. — Taxation of Legacies and Successions.

As to the collection of collateral legacy taxes under chapter 15 of the Revised Laws and amendments thereof, see 1922, 520 § 24.

SECT. 1 amended, 1922, 347, 403 § 1.

SECT. 4 amended, 1922, 403 § 2.

SECT. 5 amended, 1922, 403 § 3.

SECT. 7 amended, 1922, 520 § 15.

SECT. 8 amended, 1922, 520 § 16.

SECT. 10 repealed, 1922, 403 § 4.

SECT. 11 revised, 1923, 176.

SECT. 15 revised, 1922, 300.

SECT. 23 amended, 1922, 520 § 17.

SECT. 27 amended, 1922, 520 § 18.

SECT. 30 amended, 1922, 520 § 19.

SECT. 31 amended, 1922, 520 § 20.

SECT. 32 amended, 1922, 339 § 3; revised, 1922, 520 § 21.

SECT. 33 amended, 1922, 520 § 22.

SECT. 34 amended, 1922, 520 § 23.

Chapter 66. — Public Records.

See 1920, 562; 1921, 171; 1922, 199, relative to the preservation and distribution of town records of births, marriages and deaths previous to 1850.

SECT. 1 amended, 1923, 362 § 57.

SECT. 10. See 1923, 337.

Chapter 67. — Parishes and Religious Societies.

Certificates of organization of parishes and religious societies filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 69. — Powers and Duties of the Department of Education.

Provision for an investigation relative to opportunities and methods for technical and higher education in the commonwealth, 1922, Resolve 33; time extended to December 26, 1923, 1923, Resolve 33.

SECT. 3 revised, 1923, 301 § 3.

SECT. 10 amended, 1921, 484.

SECT. 25 revised, 1921, 486 § 17; amended, 1923, 362 § 58. (See 1922, 545 §§ 10-12.)

SECT. 28 added, 1923, 361 (providing for the establishment of special day classes for deaf pupils in the public schools of certain towns).

Chapter 70. — School Funds and Other State Aid for Public Schools.

SECT. 1 amended, 1923, 145 § 1.

SECT. 2 revised, 1921, 420 § 1.

SECT. 4 revised, 1921, 420 § 2.

SECT. 6 amended, 1922, 190.

SECT. 7 amended, 1922, 333 § 2; 1923, 145 § 2.

SECT. 11 revised, 1921, 420 § 3; amended, 1923, 472 § 1.

SECT. 16 amended, 1922, 333 § 3; 1923, 362 § 59.

Chapter 71. — Public Schools.

SECT. 1 amended, 1921, 360; 1923, 222 § 1.

SECT. 2 amended, 1923, 222 § 2.

SECT. 6 revised, 1921, 296 § 1.

SECT. 7 amended, 1921, 296 § 2; revised, 1923, 363.

SECT. 21 amended, 1922, 401.

SECT. 24 amended, 1922, 413.

SECT. 40 revised, 1921, 420 § 4.

SECT. 42 amended, 1921, 293.

SECT. 46 amended, 1922, 231.

SECT. 53 revised, 1921, 357 § 1.

SECTS. 53A and 53B added, 1921, 357 § 2 (enabling superintendency districts and unions to employ school physicians and nurses, etc.).

SECT. 55 revised, 1922, 120.

SECT. 70 amended, 1921, 486 § 18.

SECT. 71 amended, 1923, 50.

Chapter 73. — State Normal Schools.

SECT. 4 amended, 1921, 486 § 19; 1923, 362 § 60.

SECT. 7 added, 1921, 92 (authorizing Department of Education to grant degrees in education); amended, 1922, 274.

Chapter 74. — Vocational Education.

SECTS. 1-24. See 1922, 521 § 2.

SECT. 8A added, 1923, 299 (relative to payment by certain towns for the transportation of pupils attending outside vocational schools and to state reimbursement therefor).

SECT. 10 revised, 1923, 364.

SECT. 20 revised, 1921, 462 § 3.

SECT. 21 amended, 1921, 462 § 4.

SECT. 22 amended, 1921, 462 § 5.

SECT. 22A added, 1921, 462 § 6 (duties of state board for vocational education).

SECT. 22B added, 1923, 434 (authorizing the state board for vocational education to furnish aid during rehabilitation to certain persons).

SECT. 46A added, 1921, 385 (authorizing state textile schools to make certain tests).

SECT. 51 amended, 1923, 362 § 61.

Chapter 75. — Massachusetts Agricultural College.

SECT. 6 amended, 1923, 362 § 62.

SECT. 10A added, 1922, 268 (authorizing the trustees of the Massachusetts Agricultural College to insure its memorial building and contents).

SECT. 17. See 1922, 182.

SECT. 21 amended, 1922, 182.

Chapter 76. — School Attendance.

SECT. 1 amended, 1921, 463. (See 1922, 376.)

SECT. 7 amended, 1921, 272.

SECT. 10 amended, 1921, 214.

Chapter 77. — School Offenders and County Training Schools.

SECT. 1 amended, 1921, 173.

Chapter 80. — Betterments.

SECT. 1 amended, 1923, 377 § 1.

SECT. 4 amended, 1923, 377 § 2.

SECT. 5 amended, 1923, 377 § 3.

SECT. 12 amended, 1923, 377 § 4.

SECT. 13 revised, 1923, 377 § 5.

SECT. 14 repealed, 1923, 377 § 6.

Chapter 81. — State Highways.

Provision for an investigation by the division of highways of the department of public works into the question of snow and ice removal from highways, see 1923, Resolve 3.

Provision for an investigation relative to the supervision and regulation of the business of transporting persons, freight and property over public ways by motor vehicles, see 1923, Resolve 35.

SECT. 1 amended, 1923, 57 § 1.

SECT. 3 amended, 1921, 260.

SECT. 5 amended, 1921, 427 § 1.

SECT. 6 amended, 1921, 446.

SECT. 9 amended, 1921, 112 § 2; 1923, 362 § 63.

SECT. 12 revised, 1921, 427 § 2. (See 1921, 427 § 1.)

SECT. 19 revised, 1923, 482 § 1.

SECT. 25 revised, 1921, 428.

SECT. 26 amended, 1922, 281.

SECT. 26A added, 1921, 120 § 1 (providing for the participation of the county in the improvement of public ways).

Chapter 82. — The Laying Out, Alteration, Relocation and Discontinuance of Public Ways, and Specific Repairs thereon.

SECT. 5 amended, 1922, 251 § 1.

SECT. 8 amended, 1921, 401.

SECT. 11 amended, 1922, 251 § 2.

Chapter 83. — Sewers, Drains and Sidewalks.

SECT. 27 amended, 1921, 486 § 20.

Chapter 84. — Repair of Ways and Bridges.

SECT. 11 revised, 1923, 482 § 2.

SECT. 11A added, 1921, 120 § 2 (providing for the participation of the county in the improvement of public ways).

SECT. 21 revised, 1922, 241.

Chapter 85. — Regulations and By-laws relative to Ways and Bridges.

SECT. 13 revised, 1921, 377.

SECT. 30 revised, 1922, 526.

SECT. 34 revised, 1923, 313 § 1.

SECT. 35 added, 1923, 313 § 2 (relative to the protection of highway bridges from heavy loads).

Chapter 90. — Motor Vehicles and Aircraft.

Provision for an aircraft landing field, see 1922, 404.

Provision for an investigation relative to the supervision and regulation of the business of transporting persons, freight and property over public ways by motor vehicles, see 1923, Resolve 35.

SECT. 1 amended, 1923, 464 § 1.

SECT. 2 amended, 1922, 303 § 1; 1923, 362 § 64.

SECT. 3 amended, 1923, 431 § 1.

SECTS. 3A-3B added, 1923, 431 § 2 (relative to jurisdiction and service of process in actions against non-residents operating motor vehicles in this commonwealth).

SECT. 5 amended, 1922, 303 § 2; revised, 1923, 464 § 2.

SECT. 6 amended, 1922, 342 § 1.

SECT. 7 revised, 1921, 189, 434, 483; amended, 1922, 342 § 2; 1923, 335.

SECT. 8 amended, 1921, 403 § 1; 1923, 464 § 3.

SECT. 9 amended, 1922, 303 § 3.

SECT. 10 amended, 1923, 464 § 4.

SECT. 12 amended, 1923, 464 § 5.

SECT. 20 amended, 1922, 130.

SECT. 21 revised, 1921, 349.

SECT. 22 amended, 1923, 464 § 6.

SECT. 23 amended, 1921, 304.

SECTS. 23-25. See 1922, 36.

SECT. 28 amended, 1922, 202; 1923, 362 § 65.

SECT. 29 amended, 1923, 464 § 7.

SECT. 30 amended, 1923, 464 § 8.

SECT. 31. See 1922, 36.

SECT. 33 amended, 1921, 403 § 2; revised, 1923, 464 § 9.

SECT. 34 revised, 1921, 112 § 1.

SECTS. 35-43 superseded, 1922, 534 § 1.

Chapter 91. — Waterways.

SECT. 12 revised, 1922, 262 § 1.

SECT. 18A added, 1923, 453 (providing access for the public to great ponds).

SECT. 33 amended, 1923, 57 § 2.

Chapter 92. — Metropolitan Sewers, Water and Parks.

SECT. 36 revised, 1923, 230.

SECT. 48 amended, 1922, 14.

SECT. 56 amended, 1921, 112 § 3.

SECT. 63A added, 1923, 221 (authorizing the payment of reasonable hospital, medical and surgical expenses of police officers of the metropolitan district commission injured while on duty).

SECT. 64 revised, 1923, 350.

SECT. 99 amended, 1923, 362 § 66.

Chapter 93. — Regulation of Trade and Certain Enterprises.

Special Commission on the Necessaries of Life, 1921, 325; 1922, 343; 1923, 320.

SECT. 10 amended, 1921, 486 § 21.

SECTS. 35-36 repealed, 1923, 470 § 3.

SECT. 37 revised, 1922, 395 § 1; repealed, 1923, 470 § 3.

SECT. 38 repealed, 1923, 470 § 3.

SECT. 39 revised, 1922, 395 § 2; repealed, 1923, 470 § 3.

SECT. 41 repealed, 1921, 486 § 22.

Chapter 94. — Inspection and Sale of Food, Drugs and Various Articles.

Special Commission on the Necessaries of Life, 1921, 325; 1922, 343; 1923, 320.

SECT. 7 revised, 1922, 186 § 1.

SECT. 8 amended, 1921, 94; 1922, 186 § 2.

SECT. 9 amended, 1922, 186 § 3.

SECT. 10 amended, 1922, 186 § 4.

SECTS. 10A-10E added, 1921, 303 (regulating the manufacture and bottling of certain non-alcoholic beverages).

SECT. 17A added, 1923, 170 (prohibiting the combination of certain fats and oils with milk, cream or skimmed milk).

SECT. 51 amended, 1923, 84.

SECT. 74 revised, 1922, 17 § 1.

SECT. 76 revised, 1922, 17 § 2.

SECT. 81 revised, 1922, 338 § 1.

SECT. 82 revised, 1922, 338 § 2.

SECT. 92A added, 1921, 486 § 23. (Sale of decayed eggs.)

SECT. 96 revised, 1922, 355 § 1.

SECT. 97 repealed, 1922, 355 § 8.

SECT. 99 amended, 1922, 355 § 2.

SECT. 99A added, 1921, 248 (establishing a standard for boxes and half boxes for farm produce at wholesale).

SECT. 108 repealed, 1922, 355 § 8.

SECTS. 117A-117F added, 1922, 43S § 1 (providing for the grading and inspection of onions).

SECT. 142 amended, 1923, 425 § 1.

SECT. 143A added, 1923, 425 § 2 (relative to the sale of vegetable sausages).

SECT. 150A added, 1921, 486 § 24.

SECT. 163 revised, 1922, 524.

SECT. 164 revised, 1922, 206.

SECT. 173 repealed, 1922, 355 § 8.

SECT. 177 amended, 1923, 155 § 3.

SECT. 184A added, 1921, 486 § 25 (marking of packages, etc., of foods or medicines containing certain drugs).

SECT. 185 repealed, 1921, 486 § 26.

SECT. 186, cl. Seventh added, 1923, 166 (prohibiting the inflation of meat with gas or air).

SECT. 209 revised, 1922, 535 § 1.

SECT. 210 amended, 1922, 535 § 2.

SECT. 212 revised, 1922, 535 § 3.

SECT. 218 repealed, 1922, 355 § 8.

SECT. 219 amended, 1922, 355 § 3.

SECT. 220 repealed, 1922, 355 § 8.

SECT. 221 amended, 1922, 355 § 4.

SECT. 222 revised, 1922, 355 § 5.

SECT. 223 repealed, 1922, 355 § 8.

SECT. 224 revised, 1922, 355 § 6.

SECT. 227 revised, 1922, 400 § 1.

SECT. 228 amended, 1922, 400 § 2.

SECT. 229 revised, 1922, 400 § 3.

SECT. 237 amended, 1922, 355 § 7.

SECTS. 238-249. See 1921, 325 (chairman of Special Commission on the Necessaries of Life to be fuel administrator). As to the appointment, duties, authority and powers of a fuel administrator, see 1922, 544.

SECT. 240 amended, 1921, 95 § 2; 1923, 196 § 2.

SECT. 241 amended, 1921, 95 § 1; revised, 1923, 196 § 1.

SECT. 243 amended, 1921, 89 § 1.

SECT. 248 amended, 1921, 89 § 2; 1923, 155 § 2.

SECTS. 249A-249F added, 1923, 155 § 1 (relative to the sale of coal).

SECT. 270 revised, 1923, 226 § 1.

SECT. 271 amended, 1923, 226 § 2.

SECT. 272 amended, 1923, 226 § 3.

SECT. 273 revised, 1923, 226 § 4.

SECT. 277 revised, 1923, 226 § 5.

SECTS. 295A-295E added,* 1922, 427 § 2 (relative to wood alcohol), therefore appearing as sections 34 to 38 of chapter 138.

SECT. 298 revised, 1921, 251 § 1.

SECT. 299 revised, 1921, 251 § 2.

SECT. 304 amended, 1921, 486 § 27.

Chapter 98. — Weights and Measures.

SECT. 12 revised, 1921, 263 § 1.

SECT. 13 revised, 1921, 263 § 2.

SECT. 14 revised, 1921, 263 § 3.

* Rejected on referendum.

- SECT. 18 revised, 1921, 45 § 1.
- SECT. 19 revised, 1921, 45 § 2.
- SECT. 22 revised, 1921, 374.
- SECT. 41 amended, 1923, 32 § 1.
- SECT. 42 amended, 1923, 32 § 2.
- SECT. 58 repealed, 1922, 355 § 8.

Chapter 100. — Auctioneers.

- SECT. 5 amended, 1921, 127.

Chapter 101. — Transient Vendors, Hawkers and Pedlers.

- SECT. 1 amended, 1921, 106 § 1; 1923, 102 § 1.
- SECT. 2 amended, 1921, 106 § 2; 1923, 102 § 2.
- SECT. 17 amended, 1923, 285.
- SECT. 30 amended, 1923, 154.

Chapter 103. — Pilots.

- SECTS. 1-14 superseded, 1923, 390 § 1.
- SECT. 15 amended, 1923, 390 § 2.
- SECT. 16 revised, 1923, 390 § 3.
- SECT. 17 amended, 1923, 390 § 4.
- SECT. 29 repealed, 1923, 390 § 5.

Chapter 108A. — Partnerships.

- New chapter added by 1922, 486.

Chapter 109. — Limited Partnerships.

- Chapter repealed and superseded by 1923, 112 § 1.

Certificates and affidavits of limited partnerships filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 110. — Labels, Trade Marks, Names and Registration thereof.

SECTS. 8, 9. (Certificates of registration of labels, insignia, etc., filed in the office of the State Secretary deemed recorded, see 1922, 151.)

Chapter 110A. — Promotion and Sale of Securities.

- New chapter added by 1921, 499 ("Blue Sky Law," so called).

- SECT. 5 amended, 1923, 47.
- SECT. 6 amended, 1922, 435 § 1.
- SECT. 7 amended, 1922, 435 § 2.
- SECT. 8 amended, 1922, 317 § 1; revised, 1922, 435 § 3; amended, 1923, 48.
- SECT. 10, par. (b) amended, 1922, 317 § 2.
- SECT. 13 repealed, 1922, 259 § 2.

Chapter 111. — Public Health.

- SECT. 5 amended, 1921, 322.
- SECT. 11 repealed,* 1922, 427 § 11.
- SECT. 25 amended, 1922, 200.

* Rejected on referendum.

SECT. 31A added, 1921, 358 (providing for registration of collectors of garbage, etc.).

SECT. 39 amended, 1921, 315 § 1.

SECT. 48 affected, 1921, 315 § 1.

SECTS. 63, 68. See 1921, Resolve 30 (authorizing sale and conveyance of Penikese Island and the buildings thereon).

SECT. 70 amended, 1923, 337.

SECT. 82 revised, 1922, 393 § 1; 1923, 113 § 1.

SECTS. 83-85. See 1921, 185 (apportionment of expense incurred by county of Middlesex for a tuberculosis hospital). See 1923, 429 (apportionment of expense incurred by county of Essex for a tuberculosis hospital).

SECT. 85 amended, 1923, 113 § 2.

SECT. 85A added, 1923, 113 § 3 (authorizing county commissioners to make temporary loans to provide funds for the care, maintenance and repair of county tuberculosis hospitals).

SECT. 86 amended, 1922, 393 § 2.

Chapter 112. — Registration of Certain Professions and Occupations.

SECT. 2 amended, 1922, 340 § 1.

SECT. 2A added, 1923, 13 (relative to the qualifications of applicants for registration as qualified physicians).

SECT. 3 amended, 1921, 313, 409; revised, 1922, 340 § 2.

SECT. 9A added, 1922, 426 (providing for the registration of medical students for the limited practice of medicine).

SECT. 27 amended,* 1922, 427 § 12.

SECT. 32 amended,* 1922, 427 § 13.

SECT. 34 amended,* 1922, 427 § 14; 1923, 233 § 8.

SECT. 35 amended,* 1922, 427 § 15.

SECT. 36 amended,* 1922, 427 § 16.

SECT. 38 amended, 1921, 318.

SECT. 40 amended,* 1922, 427 § 17.

SECT. 45A added, 1921, 365 (providing for registration of dental internes).

SECT. 48 revised, 1922, 221.

SECT. 61 revised, 1921, 478 § 1.

SECT. 65 revised, 1921, 478 § 2.

SECT. 82 amended, 1921, 419.

SECTS. 87A-87E added, 1923, 470 § 2 (relative to the registration of certified public accountants).

Chapter 114. — Cemeteries and Burials.

Certificates, articles of organization and amendment and affidavits relating to cemetery and crematory corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 45 revised, 1922, 176 § 1.

SECT. 47 revised, 1921, 333.

SECT. 50 amended, 1922, 176 § 2.

* Rejected on referendum.

Chapter 115. — State and Military Aid, Soldiers' Relief, etc.

For a complete list of temporary war legislation prior to 1921, see Tables of Changes for 1920 under chapter 16 of the Revised Laws, superseded by chapter 33 of the General Laws.

See also 1921, 38, authorizing counties to pay their employees who served in the world war the difference between their military and county compensation.

As to allowances for the burial expenses of certain persons who died overseas in the service of the United States in the world war, see 1923, 258.

Provision for allowances to certain organizations of persons who served in the world war for the expenses of certain military funerals or burials in which they participate, see 1923, 396.

State pay and "bonus" for war service, 1917, 211, 332; 1918, 92; 1919, 283; 1920, 51, 250, 609; 1922, 457. 1921, 326 and 1922, 240, extending time for filing applications for payments to November 30, 1921, and further to November 30, 1923. 1921, 354, entitling student nurses of medical department of United States army during world war to receive the "bonus."

SECT. 3A added, 1923, 181 (relative to the payment of state and military aid and soldiers' relief).

SECT. 6 amended, 1921, 222 §§ 1, 2.

SECT. 7 amended, 1921, 222 § 3; 1922, 229.

SECT. 10 amended, 1921, 222 § 4.

SECT. 15 amended, 1923, 362 § 67.

SECT. 20 amended, 1923, 362 § 68.

Chapter 116. — Settlement of Paupers.

SECT. 1, cl. Fifth amended, 1922, 177.

SECT. 5 revised, 1922, 479.

Chapter 117. — Support of Paupers by Cities and Towns.

SECT. 17 amended, 1923, 298.

Chapter 118. — Aid to Mothers with Dependent Children.

SECT. 1 amended, 1922, 376.

Chapter 120. — Massachusetts Training Schools.

SECT. 8 amended, 1923, 362 § 69.

SECT. 10 amended, 1923, 362 § 70.

SECT. 18 repealed, 1923, 245 § 2.

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

SECT. 9 amended, 1921, 486 § 28.

SECT. 29 revised, 1922, 306.

Chapter 122. — State Infirmary and State Paupers.

- SECT. 4 amended, 1923, 362 § 71.
- SECT. 6 amended, 1923, 362 § 72.
- SECT. 15 amended, 1923, 177.
- SECT. 19 amended, 1923, 362 § 73.
- SECT. 24 amended, 1921, 430 § 2.
- SECT. 25 amended, 1921, 430 § 3.

Chapter 123. — Commitment and Care of the Insane and Other Mental Defectives.

SECT. 3A added, 1922, 519 § 2 (relative to the powers and duties of the Department of Mental Diseases concerning the mental health of citizens).

SECT. 13A added, 1922, 519 § 3 (relative to the powers and duties of the Division of Mental Hygiene in the Department of Mental Diseases).

SECT. 16 amended, 1921, 317 § 1.

SECT. 17 amended, 1923, 362 § 74. (See 1922, 545 §§ 1, 5.)

SECT. 20 amended, 1921, 317 § 2; 1922, 410 § 4; 1923, 245 § 1.

SECT. 22A added, 1923, 467 § 1 (relative to the commitment of insane persons to the Bridgewater state hospital, and to the transfer or discharge of inmates thereof).

SECT. 25 amended, 1922, 410 § 5.

SECT. 32 amended, 1922, 193; 1923, 362 § 75.

SECT. 45 amended, 1922, 410 § 6.

SECT. 46 amended, 1922, 410 § 7.

SECT. 51 amended, 1922, 410 § 8.

SECT. 62 amended, 1922, 535 § 4.

SECT. 66 amended, 1922, 410 § 9.

SECT. 66A added, 1921, 441 § 1 (commitment of feeble-minded persons to supervision of Department of Mental Diseases, etc.).

SECT. 67 amended, 1922, 410 § 10.

SECT. 80 revised, 1922, 535 § 5.

SECT. 88A added, 1922, 337 (providing for the parole of inmates of state schools for the feeble-minded).

SECT. 89 amended, 1922, 535 § 6.

SECTS. 89A and 89B added, 1921, 441 § 2 (discharge of certain feeble-minded persons committed under § 66A).

SECT. 91 amended, 1922, 410 § 11.

SECT. 93 amended, 1922, 410 § 12.

SECT. 96 amended, 1921, 317 § 3.

SECT. 100 amended, 1923, 467 § 2.

SECT. 100A added, 1921, 415 (investigation by Department of Mental Diseases of certain persons held for trial); amended, 1923, 331.

SECT. 101 amended, 1923, 467 § 3.

SECT. 105 amended, 1923, 467 § 4.

SECT. 113 revised, 1921, 270 § 1; 1922, 535 § 7.

SECT. 114 revised, 1922, 535 § 8.

SECT. 115 revised, 1922, 535 § 9.

SECT. 117 amended, 1921, 270 § 2; revised, 1922, 535 § 10.

SECT. 118 amended, 1922, 535 § 11.

SECT. 119 amended, 1922, 535 § 12.

SECT. 121 amended, 1923, 397.

SECT. 124 amended, 1922, 535 § 13.

Chapter 125. — Penal and Reformatory Institutions of the Commonwealth.

As to the commitment of drug addicts and dipsomaniacs to institutions under the Department of Correction, see 1922, 535 §§ 4-13.

Provision for an investigation relative to the relocation of the state prison, see 1923, Resolve 62.

SECT. 3 amended, 1923, 362 § 76.

SECT. 5 amended, 1923, 362 § 77.

SECT. 26 amended, 1923, 362 § 78.

SECT. 34 revised, 1923, 362 § 79.

SECT. 42 repealed, 1921, 486 § 29.

SECT. 49 amended, 1923, 362 § 80.

SECTS. 51 and 52 repealed, 1923, 362 § 81. (See 1922, 545 §§ 10-16.)

SECT. 53. See 1922, 545 §§ 10-16.

SECT. 54 amended, 1923, 362 § 82.

Chapter 127. — Officers and Inmates of Penal and Reformatory Institutions, Paroles and Pardons.

As to the commitment of drug addicts and dipsomaniacs to institutions under the Department of Correction, see 1922, 535 §§ 4-13.

SECTS. 51-78. See 1922, 545 §§ 10-12.

SECT. 57 revised, 1923, 362 § 83.

SECT. 71 amended, 1923, 362 § 84.

SECT. 90A added, 1923, 52 (allowing inmates of penal institutions to attend the funerals of their spouses and next of kin).

SECT. 127 amended, 1923, 150.

SECT. 161 amended, 1923, 362 § 85.

Chapter 128. — Agriculture.

Provision for co-operation between the United States Department of Agriculture and the commonwealth in the collection and publication of agricultural statistics, 1921, 253.

Provision for an investigation relative to grading and marketing methods prevailing among tobacco growers in this commonwealth, 1922, Resolve 32.

SECT. 2, cl. (f) revised, 1921, 206.

SECT. 8 revised, 1922, 438 § 2.

SECT. 23 amended, 1923, 362 § 86.

SECT. 30 amended, 1923, 147 § 1.

SECT. 31A added, 1923, 147 § 2 (relative to the disposition of corn stalks and stubble in connection with the suppression of the European corn borer).

SECT. 39. See 1921, Resolve 5 (providing for preparation and publication of a report on the birds of Massachusetts).

Chapter 129. — Animal Industry.

SECT. 11 amended, 1922, 353 § 1.

SECT. 12 revised, 1922, 353 § 2 (repealed by 1922, 353 § 4 from and after August 1, 1923).

SECT. 33 revised, 1922, 353 § 3.

SECT. 33A added, 1922, 137 (providing for certain requirements in case of the transfer of possession of bovine animals which have reacted to a tuberculin test).

Chapter 130. — Powers and Duties of the Division of Fisheries and Game. Fisheries.

Possession of protected fish permitted under certain conditions if lawfully caught in this commonwealth or elsewhere, 1922, 187 § 1.

SECT. 1 amended, 1922, 187 § 1.

SECT. 22 revised, 1922, 124.

SECT. 23 revised, 1921, 467 § 9.

SECT. 49 revised, 1923, 269.

SECT. 58 revised, 1923, 268 § 1.

SECTS. 58-60. See 1921, 224 (imposing temporary restrictions on taking of pickerel).

SECT. 59 revised, 1923, 268 § 2.

SECT. 61 amended, 1922, 148; revised, 1923, 268 § 3.

SECT. 62A added, 1923, 212 (relative to the taking, possession and sale of pike perch).

SECT. 64 amended, 1921, 197; revised, 1922, 444.

SECT. 77A added, 1922, 108 (relative to fishing with floats in fresh water ponds).

SECT. 78A added, 1921, 188 (imposing restrictions on the taking of fresh water fish); revised, 1923, 268 § 4.

SECT. 84A added, 1922, 80 (issuing of permits for the taking of shellfish by unnaturalized foreign-born persons).

SECT. 104 revised, 1921, 116 § 1; amended, 1922, 161.

SECT. 145 revised, 1921, 24.

Chapter 131. — Preservation of Certain Birds and Animals. Hunting and Fishing Licenses.

Provision for preparation and publication of a report on the birds of Massachusetts, 1921, Resolve 5.

Taking of quail in the counties of Dukes, Essex, Hampden, Hampshire, Middlesex, Norfolk, Worcester and Nantucket prohibited until the year 1925, 1922, 89; 1923, 182.

Possession of protected birds and quadrupeds permitted under certain conditions if lawfully taken or killed in this commonwealth or elsewhere, 1922, 187 § 2.

SECT. 1 amended, 1922, 187 § 2.

SECT. 3 revised, 1921, 467 § 1.

SECT. 4 revised, 1921, 467 § 2.

SECT. 6 revised, 1921, 467 § 3.

SECT. 7 revised, 1921, 467 § 4.

SECT. 8 revised, 1921, 467 § 5.

SECT. 9 amended, 1921, 467 § 6.

SECT. 13 revised, 1921, 467 § 7.

SECT. 14 revised, 1921, 467 § 8.

SECT. 16 amended, 1923, 68.

SECT. 19 amended, 1921, 75.

SECT. 29 revised, 1921, 107 § 1.

SECT. 30 revised, 1921, 107 § 2.

SECT. 37 amended, 1922, 171 § 1; revised, 1923, 307 § 1.

SECT. 39 revised, 1923, 307 § 2.

SECT. 45 amended, 1923, 99 § 1.

SECT. 46 amended, 1921, 152; 1922, 117 § 2; revised, 1922, 160.

SECT. 46A added, 1922, 117 § 1 (relative to the importation of live hares and rabbits for purposes of propagation or liberation).

SECT. 48 amended, 1923, 99 § 2.

SECT. 51 revised, 1921, 121.

SECT. 51A added, 1923, 185 (requiring annual reports to the division of fisheries and game relative to fur-bearing animals caught or killed in this commonwealth).

SECT. 58 amended, 1923, 99 § 3.

SECT. 61 revised, 1922, 183.

SECT. 66 revised, 1922, 128.

SECT. 67 revised, 1921, 257.

SECT. 69 amended, 1923, 301 § 1.

SECT. 72 amended, 1921, 55.

SECT. 81 amended, 1922, 171 § 2; 1923, 307 § 3.

SECT. 82A added, 1921, 90 (relative to the release of wild birds or animals).

SECT. 85 amended, 1921, 159.

Chapter 132. — Forestry.

Mohawk Trail State Forest established 1921, 344.

SECT. 10 amended, 1921, 271 § 1.

SECT. 14 amended, 1923, 311; revised, 1923, 472 § 2.

SECT. 16 amended, 1923, 472 § 3.

SECT. 30 amended, 1922, 185; revised, 1923, 288 § 1.

SECT. 33 amended, 1921, 238; 1923, 288 § 2.

SECT. 34A added, 1923, 288 § 3 (relative to the sale or exchange of forest and certain other lands under the supervision of the department of conservation and to the granting of certain rights of way and locations for telephone, etc., lines thereon).

Chapter 136. — Observance of the Lord's Day.

SECT. 6 amended,* 1922, 427 § 18.

SECT. 7 amended,* 1922, 427 § 19.

SECT. 10 amended, 1922, 119.

Chapter 138. — Intoxicating Liquors and Certain Non-Intoxicating Beverages.

SECT. 2A added, 1923, 370 (relative to the manufacture, transportation, importation or exportation of intoxicating liquors and certain non-intoxicating beverages).

SECTS. 4-9. See 1921, 356, 450.

SECT. 8 affected, 1921, 356, 450.

SECT. 15 amended, 1922, 285.

SECT. 18 amended, 1923, 233 § 1.

SECT. 25 revised, 1923, 233 § 2.

SECT. 28 amended, 1923, 233 § 3.

SECTS. 30 and 31 repealed, 1923, 233 § 4.

* Rejected on referendum.

SECT. 32 amended, 1923, 233 § 5.

SECT. 43 amended, 1923, 291.

SECT. 54 revised, 1921, 495; amended, 1922, 22.

SECT. 69 revised, 1923, 329.

SECT. 75 amended, 1923, 435.

SECT. 87 amended, 1923, 233 § 6.

SECT. 88 amended, 1923, 233 § 7.

Chapter 138 and amendments repealed by * 1922, 427 § 1 and superseded by * 1922, 427 § 1 (Chapter 138. Prohibition of Intoxicating Liquors) and by * 1922, 427 § 2, inserting in chapter 94 new sections 295A-295E.

Chapter 139. — Common Nuisances.

SECT. 14 amended,* 1922, 427 § 20.

SECT. 16 amended,* 1922, 427 § 21.

SECT. 17 repealed,* 1922, 427 § 22.

SECT. 18 amended,* 1922, 427 § 23.

SECT. 19 amended,* 1922, 427 § 24.

SECT. 20 amended,* 1922, 427 § 25.

Chapter 140. — Licenses.

SECTS. 21A-21D added, 1922, 392 (authorizing cities and towns to provide for licensing the sale of certain beverages).

SECT. 23 revised, 1921, 59.

SECT. 58 revised, 1923, 30.

SECT. 66 revised, 1923, 218.

SECT. 121 amended, 1922, 485 § 1.

SECT. 122 revised, 1922, 485 § 2.

SECT. 122A added, 1922, 485 § 3 (relative to the recording of licenses to sell, rent or lease firearms).

SECT. 123 revised, 1922, 485 § 4.

SECT. 125 amended, 1922, 485 § 5.

SECT. 127 amended, 1922, 485 § 6.

SECT. 129A added, 1922, 485 § 7 (unnaturalized foreign-born persons restricted as to firearms).

SECT. 130 amended, 1922, 485 § 8.

SECT. 131 revised, 1922, 485 § 9. (See 1922, 485 § 11, as to the expiration on January 1, 1923, of licenses for the carrying of certain firearms.)

SECT. 133 revised,* 1922, 427 § 26.

Chapter 141. — Supervision of Electricians.

SECT. 3, cl. (3) revised, 1921, 221 § 1; cl. (5) amended, 1921, 221 § 2.

Chapter 142. — Supervision of Plumbing.

Provision for a continuance of the investigation as to standardizing municipal regulations relative to plumbing and drainage, 1921, Resolve 40; 1922, Resolve 19; 1923, Resolve 6.

SECT. 11 amended, 1923, 194.

* Rejected on referendum.

Chapter 143. — Inspection and Regulation of, and Licenses for, Buildings, Elevators and Cinematographs.

Boston building laws, 1907, 550; 1908, 336; 1909, 313; 1910, 284, 631; 1911, 342; 1912, 369, 370; 1913, 50, 577, 586, 704, 729; 1914, 119, 205, 248, 595, 628, 782, 786; 1915, Sp. Acts 254, 333, 346, 352; 1916, Sp. Acts 248, 277; 1917, Sp. Acts 221; 1918, Sp. Acts 104, 115, 179; 1919, Sp. Acts 155, 156, 163; 1920, 91, 266, 440, 455; 1921, 60, 289, 476; 1922, 61, 126, 174, 316; 1923, 108, 278, 462.

SECT. 72 amended, 1923, 478 § 1.

SECTS. 86-88 added, 1923, 478 § 2 (relative to the use in schools and for other purposes of moving picture apparatus adapted to standard width safety films).

Chapter 147. — State and Other Police, and Certain Powers and Duties of the Department of Public Safety.

SECT. 2 revised 1921, 164.

SECTS. 52-59 added,* 1921, 438 § 2 (moving picture censorship).

Chapter 148. — Fire Prevention.

SECT. 2 revised, 1921, 485 § 1.

SECT. 10 revised, 1921, 273, 485 § 2.

SECT. 12 revised, 1921, 255.

SECT. 14 amended, 1921, 485 § 3.

SECTS. 15-18 affected, 1921, 485 § 1.

SECT. 19 revised, 1921, 485 § 4.

SECT. 21 affected, 1921, 485 § 1.

SECT. 23 affected, 1921, 485 § 1.

SECT. 31 amended, 1921, 485 § 5.

SECT. 54 amended, 1921, 104.

SECTS. 57A-57G added, 1921, 500 (providing for the giving of bonds in connection with the manufacture, wholesale storage or public exhibition of fireworks).

SECT. 62 revised, 1921, 485 § 6.

SECT. 66 amended, 1921, 485 § 7.

Chapter 149. — Labor and Industries.

SECT. 7 amended, 1921, 306 § 5.

SECT. 8 amended, 1921, 306 § 6.

SECT. 15 amended, 1921, 306 § 7.

SECT. 17 amended, 1921, 306 § 8.

SECT. 30 amended, 1923, 236.

SECT. 56 amended, 1921, 280.

SECT. 60 amended, 1921, 410 § 2.

SECT. 65 revised, 1921, 351 § 1; 410 § 3.

SECT. 69 amended, 1921, 410 § 1.

SECT. 70 revised, 1921, 410 § 4.

SECT. 86 amended, 1921, 351 § 2. (See 1922, 401.)

SECT. 89. See 1922, 401.

* Rejected on referendum.

SECT. 94 amended, 1921, 351 § 3.

SECT. 95 amended, 1921, 341.

SECT. 120 revised, 1921, 50.

SECT. 141 amended, 1921, 53.

SECT. 148 amended, 1921, 51; 1923, 136.

SECT. 177A added, 1922, 215 (prohibiting employers from exempting themselves from liability for certain injuries to employees).

SECT. 179A added, 1922, 517 (providing a preference to citizens in awarding contracts for public work).

Chapter 152. — Workmen's Compensation.

SECT. 3 repealed, 1921, 462 § 8.

SECT. 4 amended, 1921, 462 § 7.

SECT. 29 amended, 1923, 163.

SECT. 31 revised, 1922, 402.

SECT. 33 amended, 1922, 368.

SECT. 45 revised, 1921, 310.

SECT. 49 amended, 1923, 125.

SECT. 54 repealed, 1923, 139 § 1.

SECT. 55 amended, 1923, 139 § 2.

Chapter 155. — General Provisions relative to Corporations.

SECT. 5A added, 1921, 268 § 1 (relative to provision for depreciation by companies under the supervision of the Department of Public Utilities).

SECT. 10. (Articles of amendment and certificates of change of name of certain corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.)

SECT. 22 amended, 1923, 172.

Chapter 156. — Business Corporations.

Certificates, articles of organization and amendment and affidavits relating to business corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 2 amended, 1923, 438 § 1. (See 1923, 438 § 6).

Chapter 157. — Co-operative Corporations.

Certificates, articles of organization and amendment and affidavits relating to co-operative associations filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 3 amended, 1923, 438 § 2.

SECT. 4 revised, 1921, 297.

SECT. 8 amended, 1923, 438 § 3.

SECTS. 10-18 added, 1923, 438 § 4 (relative to the incorporation of agricultural and other co-operative corporations without capital stock).

Chapter 158. — Certain Miscellaneous Corporations.

Certificates, articles of organization and amendment and affidavits relating to certain public service corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECTS. 46-54. See 1922, 488 § 2.

Chapter 159. — Common Carriers.

SECT. 42 repealed, 1922, 259 § 2.

SECT. 59 amended, 1923, 351 § 1.

SECT. 61 amended, 1923, 351 § 2.

SECT. 62 amended, 1923, 351 § 3.

SECT. 86. (Certificates of organization of certain relief corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.)

Chapter 160. — Railroads.

Certificates relative to railroad corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 128 amended, 1922, 116.

Chapter 161. — Street Railways.

Boston Elevated Railway Company, public operation of, 1918, Sp. Acts 159; 1919, Sp. Acts 244, 245, 250, 251; 1920, 613, 637; 1921, 108.

Eastern Massachusetts Street Railway Company, formerly Bay State Street Railway Company, public operation of, 1918, Sp. Acts 188; 1919, Sp. Acts 247; 1920, 505; 1921, 223.

Act to assure the continued operation of the lines of the Berkshire Street Railway Company, 1921, 479.

Certificates relative to street railway companies filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 4, par. (h) amended, 1923, 491 § 1.

SECT. 20A added, 1923, 491 § 3 (authorizing a change of the par value of shares of capital stock issued by street railway companies).

SECT. 85 revised, 1923, 482 § 3.

SECT. 98 amended, 1922, 430.

SECT. 136, par. (i) amended, 1923, 491 § 2.

SECT. 161 added, 1923, 296 (authorizing cities and towns to contribute toward the cost of street railway service therein).

Chapter 162. — Electric Railroads.

Certificates relative to electric railroads filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 163. — Trackless Trolley Companies.

Certificates relative to trackless trolley companies filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 164. — Manufacture and Sale of Gas and Electricity.

Temporary act, in force until June 1, 1925, relative to the rate of interest on bonds of gas, electric and water companies, 1920, 581, 634; 1921, 264.

Certificates relative to gas and electric companies filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 6 amended, 1922, 354 § 1; 1923, 290 § 1.

SECT. 8 revised, 1922, 354 § 2.

SECT. 9 amended, 1921, 269.

SECT. 9A added, 1923, 290 § 2 (relative to the corporate purposes of certain electric companies).

SECT. 13 amended, 1922, 223.

SECT. 14 revised, 1921, 230 § 1.

SECT. 18 amended, 1922, 226 § 1.

SECT. 19 amended, 1921, 246; 1922, 226 § 2.

SECT. 57A added, 1922, 184 (relative to appropriations for the maintenance of municipal light plants).

SECT. 63 amended, 1923, 85.

SECT. 77 amended, 1921, 48.

SECT. 84 amended, 1923, 90.

SECT. 116 amended, 1923, 162.

SECT. 119 amended, 1921, 404.

Chapter 165. — Water and Aqueduct Companies.

Temporary act, in force until June 1, 1925, relative to the rate of interest on bonds of gas, electric and water companies, 1920, 581, 634; 1921, 264.

SECT. 13. (Certificates of payment of capital of aqueduct corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.)

Chapter 166. — Telephone and Telegraph Companies, and Lines for the Transmission of Electricity.

SECT. 1. (Certificates of payment of capital of telephone and telegraph companies filed in the office of the State Secretary deemed recorded, see 1922, 151.)

SECT. 4 revised, 1921, 230 § 2.

Chapter 167. — Banks and Banking.

SECT. 2 revised, 1922, 363 § 1; amended, 1923, 406 § 1.

SECT. 8 revised, 1922, 367.

SECT. 9 amended, 1922, 104.

SECT. 12 amended, 1921, 78 § 1; 1922, 114.

SECT. 13 amended, 1921, 78 § 2.

SECT. 15 amended, 1921, 153; repealed, 1923, 40 § 2.

SECT. 21 repealed, 1922, 411.

SECTS. 22-35. See 1922, 291.

SECT. 24 amended, 1922, 488 § 1.

SECT. 31 amended, 1921, 471.

SECT. 37. See 1922, 114.

SECTS. 46 and 47 added, 1922, 312 (fixing responsibility and providing additional penalties for violation of laws relative to banks).

Chapter 168. — Savings Banks.

SECT. 10. (Certificates and articles of organization of savings banks filed in the office of the State Secretary deemed recorded, see 1922, 151.)

SECT. 14 amended, 1922, 258 § 1.

SECT. 14A added, 1922, 258 § 2 (providing for the election of trustees of savings banks in groups).

SECT. 24 revised, 1922, 265 § 1.

SECT. 31A added, 1923, 40 § 1 (limiting the restriction on joint accounts in banks to those in savings banks).

SECT. 32A added, 1921, 79 (authorizing savings banks to establish and maintain safe deposit vaults).

SECT. 33A added, 1923, 37 (permitting savings banks to transmit money to another state or country).

SECT. 43 amended, 1923, 362 § 87.

SECT. 51 amended, 1921, 292 § 1; revised, 1922, 468 § 1.

SECT. 51A added, 1922, 468 § 2 (requiring savings banks to make loans to depositors on deposit books).

SECT. 54, cl. Sixth amended, 1921, 229; 1922, 159 § 1; cl. Ninth (*c*) amended, 1922, 159 § 2; cl. Ninth (*c*) (3) amended, 1922, 159 § 3.

Chapter 169. — Deposits with Others Than Banks.

SECT. 1 revised, 1923, 473 § 1.

SECT. 2 revised, 1923, 473 § 2.

SECT. 3 revised, 1923, 473 § 3.

SECT. 12 revised, 1923, 473 § 4.

SECT. 15A added, 1923, 473 § 5 (regulating the dealing in foreign exchange by foreign bankers, so-called).

SECT. 16 revised, 1923, 473 § 6.

SECT. 18 revised, 1923, 473 § 7.

Chapter 170. — Co-operative Banks.

Certificates and articles of organization of co-operative banks filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 7 amended, 1923, 100.

SECT. 12 amended, 1921, 242.

SECT. 19 amended, 1922, 208.

SECT. 27 amended, 1921, 211.

SECT. 31 amended, 1921, 158; 1922, 212; 1923, 21.

SECT. 41 amended, 1921, 157 § 1.

SECT. 42 amended, 1921, 157 § 2.

SECT. 47 amended, 1922, 256.

Chapter 171. — Credit Unions.

Certificates and articles of organization of credit unions filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 2 amended, 1922, 147 § 1; 1923, 38.

SECT. 4A added, 1923, 294 § 1 (permitting domestic corporations, voluntary associations and partnerships to become limited members of credit unions).

SECT. 5 amended, 1923, 294 § 2.

SECT. 6 amended, 1923, 294 § 3.

SECT. 13 amended, 1922, 147 § 2.

SECT. 14 amended, 1922, 147 § 3.

SECT. 15, first paragraph amended, 1922, 147 § 4.

SECT. 16A added, 1923, 143 § 1 (providing for a reserve fund for credit unions).

SECT. 17 amended, 1922, 147 § 5; 1923, 294 § 4.

SECT. 23 amended, 1923, 54, 143 § 2.

SECT. 27 revised, 1923, 55.

Chapter 172. — Trust Companies.

Certificates and articles of organization of trust companies and certificates of increase and reduction of capital filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 4 amended, 1923, 41. (See 1923, 121.)

SECT. 5 amended, 1922, 263 § 1.

SECT. 10 amended, 1922, 263 § 2.

SECT. 11 revised, 1922, 293.

SECT. 13 amended, 1922, 265 § 2.

SECT. 14 amended, 1921, 352.

SECTS. 20-22 repealed, 1923, 406 § 2.

SECT. 23 repealed, 1922, 363 § 2.

SECT. 24 revised, 1922, 488 § 2.

SECT. 25 amended, 1922, 488 § 3.

SECTS. 28-30 repealed, 1923, 406 § 2.

SECT. 30A added, 1922, 310 (subjecting interdepartment transfers of assets by trust companies to the supervision of the Commissioner of Banks).

SECT. 39 amended, 1922, 264.

SECT. 40 amended, 1921, 194.

SECT. 41 revised, 1922, 321.

SECT. 44 amended, 1922, 292.

SECT. 46 revised, 1922, 396.

SECT. 65 amended, 1922, 365.

SECT. 66 amended, 1921, 292 § 2; revised, 1922, 468 § 3.

SECT. 66A added, 1922, 468 § 4 (requiring savings departments of trust companies to make loans to depositors on deposit books).

SECT. 73 amended, 1922, 294.

SECT. 76 amended, 1922, 291.

SECT. 80 revised, 1922, 394.

Chapter 175. — Insurance.

Certificates and articles of organization and amendment relative to insurance companies filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 1 amended, 1921, 165 § 1.

SECT. 2A added, 1921, 277 § 1 (relative to contracts of reinsurance).

SECT. 8A added, 1923, 197 (extending the authority of the commissioner of insurance relative to hearings).

SECT. 9 amended, 1921, 213.

SECT. 13 repealed, 1923, 39 § 3.

SECT. 14 amended, 1921, 166.

SECT. 19A added, 1921, 172 (relative to the merger of insurance companies); revised, 1923, 192.

SECT. 20 amended, 1921, 277 § 2.

SECT. 25, Form A, Item 32 (b) revised, 1921, 165 § 2; first paragraph amended, 1923, 86.

SECT. 31A added, 1923, 373 (extending the territory within which insurance business may be transacted by domestic insurance companies otherwise restricted by their charters).

SECT. 32 revised, 1921, 190.

SECT. 37 amended, 1921, 144.

SECTS. 38-43 repealed, 1923, 120.

SECT. 46A added, 1922, 407 (giving preference to certain claims against insolvent domestic liability insurance companies).

SECT. 46B added, 1923, 118 § 2 (requiring domestic insurance companies to file copies of their by-laws and amendments with the commissioner of insurance).

SECT. 47, cl. Second amended, 1921, 198; cl. Fourteenth added, 1921, 215 § 1 (authorizing writing of insurance in foreign countries); cl. Fifteenth added, 1921, 277 § 3 (relating to reinsurance).

SECT. 48 amended, 1921, 215 § 2; 277 § 4; 1923, 39 § 1.

SECT. 49 amended, 1921, 277 § 5.

SECT. 51, cl. (a) amended, 1923, 39 § 2.

SECT. 53 repealed, 1922, 76.

SECT. 54, cl. (b) revised, 1923, 153.

SECT. 55. See 1921, 486 § 30.

SECT. 60. See 1922, 77.

SECT. 63, cl. 7 (a) added, 1921, 215 § 3; revised, 1923, 297 § 1.

SECT. 65 amended, 1923, 297 § 2.

SECT. 66 revised, 1923, 297 § 3.

SECT. 80 amended, 1921, 160.

SECT. 81 affected, 1921, 372.

SECT. 93 amended, 1921, 486 § 30.

SECT. 94 amended, 1922, 77.

SECT. 99, cl. First revised, 1923, 137.

SECT. 100 amended, 1923, 152, 198 § 1.

SECT. 103 repealed, 1923, 336 § 2.

SECT. 110 amended, 1921, 136.

SECT. 112 revised, 1923, 149 § 1.

SECT. 113 revised, 1923, 149 § 2.

SECT. 118 amended, 1921, 167.

SECT. 119A added, 1921, 168 (to protect persons entitled to the proceeds of life insurance and annuity policies, and the income therefrom, when retained by life insurance companies).

SECT. 132, provision 2 revised, 1922, 75; amended, 1923, 195.

SECT. 133 amended, 1921, 141.

SECT. 150 amended, 1921, 372.

SECT. 156 amended, 1922, 81.

SECT. 159 amended, 1922, 417 § 2.

SECT. 172A added, 1923, 354 (authorizing the commissioner of insurance to license voluntary associations as insurance agents, brokers and adjusters).

SECT. 174A added, 1922, 69 (relative to notices of hearings before the Commissioner of Insurance and of the revocation or suspension of licenses).

SECT. 174B added, 1923, 116 (requiring insurance agents, brokers and adjusters to surrender their licenses upon revocation).

SECT. 178 amended, 1923, 362 § 88.

SECT. 187A added, 1922, 408 (relative to the limitation of actions on policies of insurance).

SECTS. 187B-187D added, 1923, 336 § 1 (relative to the cancellation of insurance policies).

SECT. 193A added, 1922, 417 § 1 (relative to the enforcement of the insurance laws).

Chapter 176. — Fraternal Benefit Societies.

Certificates of organization and amendment of fraternal benefit societies filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 39A added, 1921, 295 (relative to the valuation of securities held by fraternal benefit societies).

SECT. 45 amended, 1922, 90.

SECT. 46 revised, 1921, 155 § 1; amended, 1922, 494.

SECT. 46A added, 1921, 155 § 2 (relative to the payment of disability benefits by subordinate lodges).

Chapter 177. — Assessment Insurance.

Certificates of organization and amendment of assessment insurance companies filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 178. — Savings Bank Life Insurance.

SECT. 11 amended, 1922, 79 § 1.

SECT. 21 revised, 1921, 416; amended, 1922, 79 § 2.

Chapter 179. — Proprietors of Wharves, Real Estate lying in Common, and General Fields.

Certificates of organization of proprietors of wharves and real estate lying in common filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 180. — Corporations for Charitable and Certain Other Purposes.

Certificates of organization and amendment of certain corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 20 amended, 1923, 252 § 1.

SECT. 23 amended, 1923, 252 § 2.

Chapter 181. — Foreign Corporations.

SECT. 1 amended, 1921, 486 § 31.

SECT. 6 amended, 1923, 28.

SECT. 10. See 1923, 290 § 4.

Chapter 182. — Voluntary Associations.

SECT. 1 amended,* 1921, 368 § 1. (See 1921, 368 § 3.)

SECT. 2 revised, 1922, 272.

SECT. 12 added,* 1921, 368 § 2 (suits against voluntary associations). (See 1921, 368 § 4.)

Chapter 183. — Alienation of Land.

SECT. 49 amended, 1923, 71.

SECT. 52 amended, 1923, 96.

* Rejected on referendum.

Chapter 185. — The Land Court and Registration of Title to Land.

SECT. 10 amended, 1923, 374 § 1.

SECT. 12 revised, 1923, 374 § 2.

SECT. 14 amended, 1921, 486 § 32; revised, 1923, 385.

SECT. 45 amended, 1923, 374 § 3.

SECT. 53 amended, 1921, 117.

SECT. 103 amended, 1923, 362 § 89.

Chapter 186. — Estates for Years and at Will.

Temporary act, in force until May 1, 1924, relative to termination of tenancies at will, 1919, 257; 1920, 538; 1921, 489; 1922, 357 § 1; 1923, 11.

Temporary act, in force until May 1, 1924, penalizing lessors for violation of certain rights of tenants, 1920, 555; 1921, 491; 1922, 357 § 2; 1923, 6.

Temporary act, in force until May 1, 1924, providing discretionary stay of proceedings in actions of summary process, 1920, 577; 1921, 490; 1922, 357 § 3; 1923, 36 § 2.

Temporary act, in force until May 1, 1924, abolishing fictitious costs, so-called, in certain actions of summary process, 1923, 36 § 1.

Unjust, unreasonable and oppressive rent agreements unenforceable, 1920, 578; amended, 1921, 452, rendering unenforceable agreements raising rent because of increase in tenant's family; duration of act extended to July 1, 1923, 1921, 488; 1922, 357 § 4.

SECT. 12 affected temporarily, 1919, 257; 1920, 538; 1921, 489; 1922, 357 § 1; 1923, 11.

Chapter 190. — Descent and Distribution of Real and Personal Property.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 191. — Wills.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 192. — Probate of Wills and Appointment of Executors.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 193. — Appointment of Administrators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 7 amended, 1921, 64.

Chapter 194. — Public Administrators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 195. — General Provisions relative to Executors and Administrators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 196. — Allowances to Widows and Children, and Advancements.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 197. — Payment of Debts, Legacies and Distributive Shares.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 198. — Insolvent Estates of Deceased Persons.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 7A added, 1922, 175 § 1 (relative to the allowance of claims of creditors receiving preferences).

SECTS. 10A-10C added, 1922, 175 § 2 (relative to preferences made by persons dying insolvent).

Chapter 199. — Settlements of Estates of Deceased Non-Residents.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 200. — Settlement of Estates of Absentees.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 201. — Guardians and Conservators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 3 revised, 1922, 461.

Chapter 202. — Sales, Mortgages and Leases of Real Estate by Executors, Administrators, Guardians and Conservators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 19 amended, 1923, 321.

Chapter 203. — Trusts.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 204. — General Provisions relative to Sales, Mortgages, Releases, Compromises, etc., by Executors, etc.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 23 amended, 1921, 44 § 1.

SECT. 24 amended, 1921, 44 § 2.

SECT. 25 amended, 1921, 44 § 3.

SECT. 26 amended, 1921, 44 § 4.

Chapter 205. — Bonds of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 1. See 1922, 512.

SECT. 6A added, 1923, 259 (relative to bonds required of national banks as fiduciaries).

SECT. 7A added, 1922, 512 (relative to certain fiduciary bonds in the probate court).

SECTS. 20-35. See 1922, 512.

Chapter 206. — Accounts and Settlements of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 23A added, 1922, 59 (issuing of citations on probate accounts).

Chapter 207. — Marriage.

SECT. 25 amended, 1922, 98; 1923, 305 § 1.

SECT. 33 amended, 1923, 305 § 2.

Chapter 208. — Divorce.

General provisions of law governing libels for divorce brought in the superior court made applicable to such libels when commenced in the probate court, see 1922, 532 § 6.

SECT. 6 amended, 1921, 466 § 1; 1922, 532 § 5; revised, 1922, 542 § 1.

SECT. 6A added, 1922, 532 § 6 (making the general provisions of law governing libels for divorce brought in the superior court applicable to such libels when commenced in the probate court).

SECT. 8 amended, 1923, 60.

SECT. 9A added, 1921, 466 § 2 (transfer from the superior to the probate court of uncontested divorce libels); repealed, 1922, 542 § 3.

Chapter 209. — Husband and Wife.

SECT. 32 revised, 1921, 56.

SECTS. 32A-32C added, 1922, 242 (naming of third parties in proceedings for separate support).

Chapter 211. — The Supreme Judicial Court.

Provision for the publication and sale of advance sheets of the opinions and decisions of the Supreme Judicial Court, see 1923, Resolve 30.

Provision for an investigation relative to the construction of a new building for the Supreme Judicial Court, the Archives' Division of the State Secretary's Department and the State Library, see 1923, Resolve 57.

As to the transfer of causes within the concurrent jurisdiction of the superior court or the probate court and of the supreme judicial court, see 1922, 532 § 1.

SECT. 22. See 1923, 375.

SECT. 23 revised, 1922, 228 § 2.

Chapter 212. — The Superior Court.

As to the transfer of causes within the concurrent jurisdiction of the superior court or the probate court and of the supreme judicial court, see 1922, 532 § 1.

As to concurrent jurisdiction of divorce libels in the superior and probate courts, see 1922, 532 §§ 4, 5, 7; 542.

Temporary act, inoperative after July 1, 1926, providing for the more prompt disposition of criminal cases in the superior court, see 1923, 469.

SECT. 1 amended, 1922, 532 § 3.

SECT. 3 amended, 1922, 532 § 4. (See 1922, 532 § 5.)

SECT. 14 amended, 1921, 35, 327.

SECT. 16 amended, 1922, 532 § 11.

SECT. 17 amended, 1923, 262 § 1.

COURT. 18A added, 1921, 350 § 1 (authorizing sittings of the Superior Court at Quincy); repealed, 1923, 262 § 2.

SECT. 19A added, 1922, 533 (providing for the appointment of a special master by the superior court).

Chapter 214. — Equity Jurisdiction and Procedure in the Supreme Judicial and Superior Courts.

SECT. 3 cl. (7). See 1922, 486 § 1 subsect. 44; cl. (10) revised, 1923, 149 § 3.

SECT. 13 amended, 1921, 431 § 1.

SECT. 32 revised, 1922, 532 § 1.

SECT. 33 repealed, 1922, 532 § 2.

Chapter 215. — Probate Courts.

As to the transfer of causes within the concurrent jurisdiction of the superior court or the probate court and of the supreme judicial court, see 1922, 532 § 1.

As to concurrent jurisdiction of divorce libels in the superior and probate courts, see 1922, 532 §§ 4, 5, 7; 542.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 3 amended, 1921, 466 § 3; 1922, 532 § 7; revised, 1922, 542 § 2.

SECT. 18 revised, 1923, 392.

SECT. 56A added, 1923, 432 (relative to the appointment by judges of probate of guardians ad litem in certain proceedings).

SECT. 62 amended, 1922, 41, 257; 1923, 325 § 1, 483.

Chapter 217. — Judges and Registers of Probate and Insolvency.

SECT. 23 amended, 1923, 164 § 1.

SECT. 24 amended, 1923, 164 § 2.

SECT. 25 amended, 1923, 164 § 3.

SECT. 33 revised, 1921, 42 § 1; amended, 1923, 362 § 90.

SECT. 34 amended, 1923, 383 § 1.

SECT. 36 amended, 1922, 333 § 4; 1923, 362 § 91.

SECT. 37 revised, 1921, 364; amended, 1923, 383 § 2.

SECT. 39 amended, 1921, 42 § 2.

SECT. 40 amended, 1923, 384.

Chapter 218. — District Courts.

As to jurisdiction and procedure in civil cases in district courts other than the municipal court of the city of Boston, see 1922, 532 § 8.

Police courts to be known as district courts, 1921, 430 § 1.

Temporary act, inoperative after July 1, 1926, providing that certain justices of district courts sit in criminal cases in the superior court, see 1923, 469.

SECT. 1 amended, 1921, 430 § 1; 1923, 243 § 1.

SECT. 10 revised, 1921, 287; 1922, 63; amended, 1923, 164 § 4; revised, 1923, 314 § 1; amended, 1923, 379 § 1.

SECT. 11 amended, 1922, 156.

SECT. 19 revised, 1922, 532 § 12A.

SECT. 21 amended, 1922, 99 § 1.

SECT. 43 amended, 1922, 532 § 9.

SECT. 43A added, 1922, 532 § 10 (establishing an administrative committee of district courts).

SECT. 53 amended, 1922, 309 § 1; 1923, 323 § 1.

SECT. 55 revised, 1921, 486 § 33.

SECT. 62 amended, 1921, 284 § 1; revised, 1922, 299 § 1; 1923, 448 § 1.

SECTS. 69-73 as amended by 1921, 430 § 1; 465 § 1; superseded by new sections 69 and 70. (See 1922, 399 §§ 1-3).

SECT. 69 amended, 1921, 430 § 1; revised, 1922, 399 § 1.

SECT. 70 amended, 1921, 430 § 1; revised, 1922, 399 § 2.

SECT. 71 revised, 1921, 465 § 1; repealed, 1922, 399 § 3.

SECT. 71A added, 1921, 334 § 1 (relating to extra clerical assistance for district court of Springfield); repealed, 1922, 399 § 3.

SECT. 71B added, 1921, 334 § 2 (relating to extra clerical assistance for district court of Hampshire); repealed, 1922, 399 § 3.

SECT. 71C added, 1921, 464 § 1 (relative to clerical assistance for the municipal court of the Roxbury district); repealed, 1922, 399 § 3.

SECT. 71D added, 1921, 465 § 2 (relative to clerical assistance for the municipal court of the Brighton district); repealed, 1922, 399 § 3.

SECT. 72 repealed, 1922, 399 § 3.

SECT. 73 amended, 1921, 430 § 1; repealed, 1922, 399 § 3.

SECT. 75 amended, 1921, 284 § 2; 1922, 309 § 2; revised, 1923, 323 § 2; amended, 1923, 448 § 2. (See 1923, 479 § 2.)

SECT. 76 amended, 1921, 355 § 1. (See 1923, 479 § 2.)

SECT. 77 revised, 1923, 326 § 1. (See 1923, 479 § 2.)

SECT. 78 amended, 1923, 479 § 1.

SECT. 79 amended, 1923, 379 § 2.

SECT. 80 revised, 1921, 355 § 2.

SECT. 83 amended, 1921, 321 § 1; revised, 1923, 322.

Chapter 219. — Trial Justices.

SECT. 17 amended, 1922, 364 § 1.

Chapter 221. — Clerks, Attorneys and Other Officers of Judicial Courts.

SECT. 1 amended, 1922, 487 § 1.

SECT. 4 amended, 1921, 305; 1923, 164 § 5; revised, 1923, 206 § 1.

SECT. 5 amended, 1923, 164 § 6.

SECT. 6 amended, 1921, 236.

SECT. 7 amended, 1922, 423 § 1.

SECT. 14 amended, 1922, 423 § 2.

SECT. 20 amended, 1922, 53.

SECT. 37 amended, 1921, 290 § 1. (See 1922, 493, permitting certain aliens to take examinations for admission to the bar.)

SECT. 39 amended, 1921, 290 § 2.

SECT. 55 amended, 1921, 163.

SECT. 69 amended, 1923, 407 § 1.

SECT. 70 amended, 1923, 324 § 1.

SECT. 71 amended, 1923, 352 § 1.

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SECT. 75 amended, 1921, 423.

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SECT. 93 amended, 1922, 487 § 2.

SECT. 95 amended, 1923, 206 § 2.

SECT. 96 amended, 1921, 486 § 34.

Chapter 222. — Justices of the Peace, Notaries Public and Commissioners.

SECT. 2 repealed, 1923, 164 § 7.

Chapter 223. — Commencement of Actions, Service of Process.

SECT. 1 amended, 1921, 432.

SECT. 2 amended, 1922, 99 § 2.

SECT. 7 amended, 1923, 111.

SECT. 25 amended, 1921, 338.

SECT. 39. See 1921, 486 § 37.

SECT. 40 amended,* 1921, 368 § 3.

SECT. 40A added,* 1921, 368 § 4 (service in suits against voluntary associations).

SECT. 45A added, 1921, 425 § 1 (security for officers making attachments).

SECT. 129A added, 1921, 425 § 2 (release by officer of personal property attached upon filing of bond).

Chapter 224. — Arrest on Civil Process.

SECT. 8 amended, 1923, 33.

SECT. 18A added, 1921, 425 § 3 (security to officers arresting on civil process).

SECT. 59 amended, 1923, 34.

Chapter 229. — Actions for Death and Injuries resulting in Death.

SECT. 2 amended, 1921, 486 § 35.

SECT. 5 amended, 1922, 439.

Chapter 231. — Pleading and Practice.

SECT. 18 amended, 1921, 431 § 2.

SECT. 59A added, 1922, 509 § 1 (relating to the speedy trial of cases in the supreme judicial and superior courts).

SECT. 63 revised, 1922, 314.

SECT. 97 amended, 1922, 532 § 12.

SECT. 103 amended, 1921, 486 § 36.

SECTS. 104-110 affected, 1921, 486 § 36.

SECTS. 110A-110C added, 1922, 532 § 8 (relative to jurisdiction and procedure in civil cases in district courts other than the municipal court of the city of Boston).

SECT. 115 revised, 1923, 5.

Chapter 233. — Witnesses and Evidence.

SECT. 1 amended, 1923, 263.

Chapter 234. — Juries.

Provision for an investigation as to jury service in the courts of the commonwealth and as to making women eligible for such service, see 1923, Resolve 53.

SECT. 1 amended, 1923, 413 § 1.

SECT. 3 amended, 1921, 455 § 2.

SECT. 3A added, 1921, 455 § 1 (postponement of jury service).

Chapter 235. — Judgment and Execution.

SECT. 35 revised, 1921, 425 § 4 (security for officers taking property on execution).

* Rejected on referendum.

Chapter 239. — Summary Process for Possession of Land.

Temporary act, in force until May 1, 1924, relative to termination of tenancies at will, 1919, 257; 1920, 538; 1921, 489; 1922, 357 § 1; 1923, 11.

Temporary act, in force until May 1, 1924, granting discretionary stay of proceedings in actions of summary process, 1920, 577; 1921, 490; 1922, 357 § 3; 1923, 36 § 2.

Temporary act, in force until May 1, 1924, abolishing fictitious costs, so-called, in certain actions of summary process, 1923, 36 § 1.

Chapter 246. — Trustee Process.

SECT. 4A added, 1921, 417 (relative to trustee suits in district courts).

SECT. 6 amended, 1921, 486 § 37.

SECT. 10 amended, 1922, 93.

Chapter 252. — Improvement of Low Land and Swamps.

SECTS. 1-14, as amended by 1922, 349 §§ 1-9, and section 14A, inserted by 1922, 349 § 10, superseded by sections 1-14B, inserted by 1923, 457 § 1.

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SECT. 5 amended, 1922, 349 § 4.

SECT. 6 amended, 1922, 349 § 5.

SECT. 7 amended, 1922, 349 § 6.

SECT. 8 amended, 1922, 349 § 7.

SECT. 9 amended, 1922, 349 § 8.

SECT. 11 revised, 1922, 349 § 9.

SECT. 14A added, 1922, 349 § 10 (relative to expenditures for improvements and maintenance of drainage districts).

Chapter 253. — Mills, Dams and Reservoirs.

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Chapter 260. — Limitation of Actions.

SECT. 4 amended, 1921, 319.

Chapter 262. — Fees of Certain Officers.

SECT. 8 amended, 1921, 259.

SECT. 39 revised, 1923, 374 § 4.

SECT. 50. See 1922, 377 § 1.

SECT. 53 amended, 1922, 377 § 1.

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Chapter 263. — Rights of Persons Accused of Crime.

SECT. 8A added, 1922, 432 (preventing double trials in district courts and before trial justices).

Chapter 264. — Crimes against Governments.

SECT. 5 amended, 1921, 278; 1922, 227.

Chapter 265. — Crimes against the Person.

SECT. 14, amended, 1923, 280.

SECT. 24A, added 1923, 339 (relative to the venue of certain specific crimes).

Chapter 266. — Crimes against Property.

SECT. 27A added, 1923, 347 § 1 (penalizing the removal or concealment of automobiles with intent to defraud the insurers).

SECT. 29 amended, 1923, 347 § 2.

SECT. 52 revised, 1922, 313 § 1.

SECT. 53A added, 1922, 313 § 2 (providing for the punishment of certain crimes relating to banks and banking).

SECT. 55 revised, 1922, 313 § 3.

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SECT. 8 amended, 1923, 451.

SECT. 8A added, 1923, 241 (relative to bribing police officers).

SECT. 33 amended, 1922, 52.

Chapter 269. — Crimes against Public Peace.

SECT. 9 repealed, 1923, 248 § 2.

SECT. 10 revised, 1923, 248 § 1.

SECT. 12 amended, 1922, 485 § 10.

Chapter 271. — Crimes against Public Policy.

SECT. 17 revised, 1922, 315.

Chapter 272. — Crimes against Chastity, Morality, Decency and Good Order.

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Chapter 273. — Desertion, Non-Support and Bastardy.

SECT. 4 revised, 1922, 397.

Chapter 276. — Search Warrants, Rewards, Fugitives from Justice, Arrest, Examination, Commitment and Bail. Probation Officers and Commission on Probation.

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SECT. 57 amended, 1922, 464 § 1; revised, 1923, 436 § 1.

SECT. 60 amended, 1923, 436 § 2.

SECT. 61 revised, 1922, 465 § 1.

SECTS. 61A and 61B added, 1922, 465 § 2 (relating to bail in criminal cases).

SECT. 63 revised, 1922, 465 § 3.

SECT. 81 amended, 1922, 361 § 1.

Chapter 277. — Indictments and Proceedings before Trial.

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SECT. 57A added, 1923, 340 (relative to the venue of crimes in general).

SECTS. 70A and 70B added, 1922, 458 (regulating the disposition without trial of criminal cases).

Chapter 278. — Trials and Proceedings before Judgment.

SECT. 13 amended, 1921, 262.

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SECT. 29 revised, 1922, 508 § 1.

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Chapter 281. — The General Laws and their Effect.

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Chapter 282. — Express Repeal of Certain Acts and Resolves.

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* Rejected on referendum.

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- 301 § 2 revised, 1923, 376 § 2. G. L. 10.
311 Revised, 1923, 472 § 2. G. L. 132.
314 § 1, see 1923, 379 § 1. G. L. 218.
323 § 2, see 1923, 448 § 2. G. L. 218.
325 § 1, see 1923, 483. G. L. 215.
362 § 5, see 1923, 493. G. L. 5.
362 § 17 repealed, 1923, 398 § 3. G. L. 12.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, September 4, 1923.

I certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in general laws has been prepared, and is printed as an appendix to this edition of the laws, by direction of the Joint Committee on Rules of the General Court, in accordance with the provisions of section 51, chapter 3 of the General Laws, as amended by chapter 197, Acts of 1922.

FREDERICK W. COOK,
Secretary of the Commonwealth.

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Yankee division , so-called, persons who served in World War with, incorporated organizations of, allowances to, for ex- penses of certain military funerals or burials	396	1, 2
Yellow legs , winter and summer, hunting, killing, etc., of, regu- lated	307	2
Yellow perch , taking, sale, etc., regulated	268	4
Young, Arthur J. , acts as a notary public, validated	Resolve 2	

